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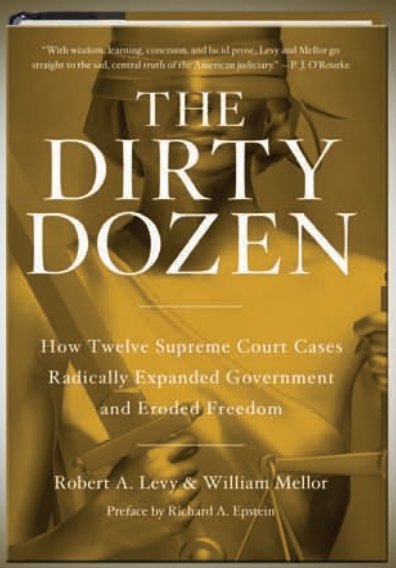
"Levy and Mellor, in this excellent examination of twelve far-reaching Supreme Court cases, force readers to question the direction in which the judiciary has led our country over the past century."

–Publishers Weekly


THE DIRTY DOZEN
How Twelve Supreme Court Cases Radically Expanded Government and Eroded Freedom
Robert A. Levy & William Mellor
Preface by Richard A. Epstein

The Dirty Dozen
is an unprecedented analysis of cases that changed American history. Coauthors Robert Levy of the Cato Institute and William Mellor of the Institute for Justice reveal their ongoing impact on free speech, economic liberty, property rights, and more.

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Letters

Kudos for 'Back Talk'

Brooklyn, N.Y.
Kudos on the excellent interview with John Turturro [May 19], one of the most interesting and thoughtful actors in film and theater today. "Back Talk" is a terrific addition to the back of the magazine.
Anthony Arnove

Cool Hand Nuke

Colorado Springs
Christian Parenti's "What Nuclear Renaissance?" [May 12] was interesting and important. A quibble: what happens inside nuclear power plants is not an attempt "to reproduce the process that occurs inside the sun." On earth we do *fission*; on the sun they do *fusion*.
Jonathan Poritz

Rochester, N.Y.
Christian Parenti deems nuclear power dangerously complicated, expensive and linked to weapons. Facts: no life has been lost in US commercial nuclear power operations, whose main emissions are water vapor. At Three Mile Island design safeguards contained the damaged reactor core. Because of that incident, Western plants are operated in fail-safe modes that cannot be bypassed. A Chernobyl-type accident has always been technically impossible with Western plants.

Contrary to Parenti's implications, US nuclear power output has doubled over the past fifteen years, providing a reliable electricity baseload at competitive prices and with a stellar safety record. Independent US and European scientific associations therefore expect that nuclear power will enjoy increased importance in the future energy mix of the industrialized world. Reflecting similar activities by our global economic competitors, several new nuclear reactors were ordered in 2007 for Texas at about $2 billion each, the cost of an oil platform and a fraction of Parenti's claim.

Spent nuclear fuel presents difficult "waste" issues only as long as the United States foolishly rejects recycling, demonstrated successfully by France. Applying modern and proliferation-safe nuclear technologies, fuel rods stored at US reactor sites could generate electricity for a few thousand years at present rates, economically and with a minimum carbon footprint. Parenti's fear of high technology seems deplorably backward.
W. Udo Schröder

Parenti Replies

Chongqing, China
Thank you to readers who politely pointed out my mistake. I meant to write "a process akin to that which happens in the sun" but conflated the two processes.

As for the knee-jerk nuke huggers like Mr. Schröder: your cause is lost; getting angry won't help. We don't properly track cancer clusters around nukes, so death rates are hard to prove; one of the few studies that tried to monitor such deaths after TMI found an increase in the number of lymphatic and blood cancer deaths among those exposed. Doubling of energy from nukes? That is not what the government stats say, though they do note an increase. What caused that? If Schröder had read my whole piece he would have learned about the dangerous insanity of "uprating" old nukes and extending their licenses. Schröder's ultimate fantasy is that several nuke plants in Texas are about to be built for $2 billion each. It was an NRC commissioner (among others) who told me the lowest cost of a new plant was likely to be $10–$12 billion. Go to Hanford, Washington, to see the horrors of "recycling" nuclear waste. Getting more fuel from spent fuel does not render the mess inert. Finally, Schröder tips his hand with his lame "afraid of high tech." Tsk, tsk. These nuke huggers are fools. If nukes are so great, go ahead, dump your savings into nuclear energy stocks. The smarter money follows T. Boone Pickens, who is going long-term into wind and solar.
Christian Parenti

April Fools in Ojai

Ventura, Calif.
In trivial but telling support of Daniel Lazare's assertion that "all faiths are fundamentally intolerant" ["Letters,"

(continued on page 52)

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The Appeasement Card

Like a pair of over-the-hill tag-team wrestlers, George W. Bush and John McCain probably thought the same old tricks that brought past opponents down would work like a charm this time, too. Addressing Israel's Knesset, Bush clumsily inserted American politics into a ceremonial address marking the sixtieth anniversary of Israel's statehood, issuing a thinly veiled attack on Barack Obama for his willingness to negotiate with Iran and Syria. Bush invoked "Nazi tanks" rolling into Poland in 1939, adding, "We have an obligation to call this what it is—the false comfort of appeasement."

EDITORIAL

McCain eagerly jumped in. "The President," he said, "is exactly right." With those five words—*the President is exactly right*—McCain abandoned all pretense that he intends to put some distance between his views and Bush's and showed that he intends to turn his own Hundred Years' War in Iraq and the broader Middle East into the centerpiece of this year's election, with Bush—and his 28 percent approval rating—at his side. In the cheering section was John Bolton, the neoconservative hawk's hawk, chortling that by raising the specter of Hitler and the Munich appeasers of 1938, Bush and McCain "may well have created a defining moment in the 2008 campaign."

Precisely so. But not in the way that Bush, McCain and Bolton hoped. Rather than cringing—in the manner of, say, John Kerry in 2004—Obama fired back hard, accusing Bush and McCain of playing to "the politics of fear" and challenging them to debate foreign policy "any time, any place." In this debate, Obama has vast support. Bush's fanciful Ahmadinejad-equals-Hitler, Obama-equals-Neville-Chamberlain rhetoric drew scorn from editorial writers and analysts across the spectrum. Virtually the entire US foreign policy establishment, aside from a few neocon dead-enders, supports talking with Iran—including, notably, Bush's Defense Secretary, Robert Gates, who inconveniently said—two days before Bush's speech— "We need to figure out a way to develop some leverage with respect to the Iranians and then sit down and talk with them."

It remains to be seen to what extent American voters can be lured into buying yet another dose of the Bush-McCain snake oil. What worked in 2002, when the country was still in shock over 9/11, and in 2004, when the war in Iraq didn't seem as hopeless and unending to many Americans, flopped spectacularly in 2006. And judging by almost every measure—polls, fundraising, voter registration and three successive Democratic wins in bright-red GOP Congressional districts this year—the politics of fear isn't doing too well this time either.

Like Bush, McCain conflates Iran, Al Qaeda, Iraq's competing militias, Hamas, Hezbollah, Saudi oil sheiks and the Taliban into one big, transcendently evil ball of Islamofascist wax. Perhaps it's too much to expect voters to sort out the subtleties of Middle Eastern politics in the midst of an election campaign. But it shouldn't be difficult for Obama to sell the commonsense idea that talking to your opponents abroad isn't the same as giving Czechoslovakia to Hitler. Indeed, in his Iowa speech on the night he clinched a majority of pledged delegates, Obama alluded to the McCain/Bush "fear of tough and aggressive diplomacy that has left this country more isolated and less secure than at any time in recent history."

At the same time, Obama can point out that the White House threw its own diplomacy into reverse by talking to Axis of Evil member North Korea; and that according to polls a majority of Israelis want to strike a diplomatic deal with Syria and negotiate with Hamas; and that leaving Iraq will finally allow Iraqis to solve their own problems.

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Katrina vanden Heuvel on Jim Webb

RADIO NATION

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John Cusack's *War, Inc.*

The Culture War Disarmed

In mid-May Democrats were finally riding high again. Their contentious primary appeared to be drawing to a close, they had routed Republicans for a third time in a Congressional special election and Americans were looking to them to address a failed war and a failing economy. Then on May 15 the California Supreme Court voted four to three to legalize same-sex marriages. As if on cue, gays and lesbians took to the streets of The Castro, Mayor Gavin Newsom vowed to turn San Francisco's City Hall into a hot pink wedding chapel and right-wing demagogues announced that they would place a constitutional amendment banning same-sex marriage on California's fall ballot. Suddenly, conservatives like William Kristol were crowing about how resentment over "judicial activism" would help deliver John McCain the White House, and Democrats were seeing shades of 2004—when anti–gay marriage initiatives supposedly contributed to John Kerry's defeat.

COMMENT

But in fact, California's marital fireworks represent a more comforting reality for Democrats—the beginning of the end of the culture war. Nowhere is this sea change more evident than in the Golden State, where gay marriage has become a thoroughly mainstream proposition. In 2005 and 2007 the California State Legislature passed bills granting gays and lesbians the right to marry; on both occasions, Governor Arnold Schwarzenegger vetoed the bills. But by directly expressing their support for gay marriage through the democratic process, the State Legislature undercut the right-wing claim that gay marriage is something "activist judges" foist onto an unwilling public. Indeed, the majority on the state's Supreme Court, comprising three Republicans and one Democrat, weren't "legislating from the bench"; they were reaffirming legislative will. And despite his vetoes, Schwarzenegger has said that he respects the court's opinion and opposes an amendment to the California Constitution, something he calls "a waste of time."

None of this will deter conservatives from pouring money, ground troops and vitriol into their campaign to get a marriage amendment passed, and they may well succeed this fall. But even that short-term victory won't change two fundamentals: in the presidential race, California will go to the Democratic candidate, and the idea of gay marriage—endorsed by the State Legislature, accepted by the Republican governor and supported by growing numbers of gay-friendly voters—has become for Californians as banal as a Hollywood divorce.

Indeed, for all the hoopla, the number of new rights California's gay couples picked up from the decision was this: zero. That's because California already had a same-sex domestic partnership statute on the books. Passed by the legislature in 1999 and expanded on several occasions to include more rights, California's domestic partnership laws are the most comprehensive in the nation, granting every right of coupledom a state can give absent federally recognized marriage. All the court did was give queers the m-word. This decision may have legal repercussions down the line, but in terms of actual economic and legal rights like access to spousal health insurance, hospital visitation and inheritance, Californians had already arrived at the conclusion that these should be available to all regardless of sexual

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Noted.

PAR FOR THE KORS: By now, *The Nation*'s **Joshua Kors** is used to picking up trophies for his 2007 articles ("How Specialist Town Lost His Benefits" and "Specialist Town Takes His Case to Washington"), which exposed the shameful practice of denying Iraq vets their disability and medical benefits. Having won Polk and IRE awards, on May 1 Kors picked up the **National Magazine Award** for Public Interest Journalism, beating out nominees from *The New Yorker* and *BusinessWeek* among others. Kors was also recently given an honorable mention in the **American Bar Association**'s Silver Gavel Awards for fostering understanding of the law, as well as the 2008 **Mental Health America Award** for national reporting. Kudos to Kors!

PORTLAND TRAILBLAZER: The last time a fellow named **Sam Adams** rose to political prominence, he stirred up a revolution; it might happen again. The current Sam Adams, who just won a landslide election for mayor of Portland, sounds like his namesake when, paraphrasing Scottish writer **Alasdair Gray**, he promises to "work like we're in the early days of a better nation." The first openly gay mayor of a major American city, Adams beat his opposition with a campaign that harked back to the days when mayors like New York's **John Lindsay**, Boston's **Kevin White** and Portland's **Neil Goldschmidt** were the rock stars of American politics. Unlike most candidates, the bike-riding city commissioner made no apologies for setting what some critics dismissed as utopian goals. Adams proposed to "make Portland cleaner, greener, more sustainable, smarter, more equal, better educated."

Even as much of the city's corporate and political establishment, led by outgoing Mayor **Tom Potter**, opposed him, Adams connected with voters by telling his story: relying on food stamps and living in public housing as a youth, he dropped out of college and declared bankruptcy in his early 20s before pulling his affairs together and emerging as a hyper-competent aide to liberal Mayor **Vera Katz**. Adams ran a hybrid race that was long on specifics—with detailed plans to address poverty and high school dropout rates, renew neighborhoods and promote public transportation and environmentally friendly business development—but longer still on vision. His core campaign promise, expressed in a YouTube-style video that followed the candidate through a day in the city, was to make Portland not just a great town but "the model for a better nation." JOHN NICHOLS

GET WELL, SENATOR KENNEDY: "I would not be sitting here as a presidential candidate had it not been for some of the battles that Ted Kennedy has fought.… He is somebody who battled for voting rights and civil rights when I was a child. I stand on his shoulders." Those were the words Senator **Barack Obama** offered in response to reports that Senator **Ted Kennedy** had been diagnosed with a malignant brain tumor. In his forty-five years as the fighting liberal in the Senate, Kennedy has championed civil rights, labor rights, healthcare, education and a sane foreign policy. He once said that "the best vote I've cast in my forty-four years in the United States Senate" was the one against authorizing the Iraq War in 2002. As a result of his opposition to the war and through his tenacious championing of causes lost and found, Kennedy has set the standard for what a great Senator and statesman can be. At *The Nation*, our hearts sank when we heard the news of his illness, but if there is one thing we know about Ted Kennedy, it's that he's a fighter.

THE IRAQ INDEX: With apologies to **Harper's Magazine**, we present a wartime version of its catalog, compiled by **David Morris**, a former marine who has been embedded in Iraq as a reporter for the *Virginia Quarterly Review* and *Salon*. His figures present a stunning and concise indictment of the US occupation:

Percentage of Iraqis displaced by war: 20

American cost of Iraq War per second (as of March 2008): $4,563.18

Total number of Coalition personnel in Iraq at the height of the "surge" (including all contractors and civilian support personnel): 343,100

Total number of actual US combat troops in Iraq at the height of the "surge" (excluding support personnel): 38,000

Number of police officers in New York City: 37,000

Number of embedded journalists during March 2003 invasion: 775

Number of embedded journalists during March 2008: 23

Number of US killed and wounded, Hue City, Vietnam, 1968: 147; 857

Number of US killed and wounded, Falluja, Iraq, 2004: 104; 1,110

Number of Iraq veterans diagnosed with PTSD: 300,000

Number of troops stop-lossed: 58,300

Number of troops deployed to Iraq and Afghanistan since 2001: 1,668,000

Number of troops deployed after being declared medically unfit: 43,000

A VOTE FOR PEACE: Thanks to a growing number of antiwar Democrats and a flood of Republican abstentions, an Iraq War funding bill failed to pass the House for the first time on May 15 when George W. Bush's request for $163 billion in supplemental funds was voted down 149 to 141. The no vote was made possible when 132 Republicans abstained in protest of domestic spending provisions attached to the bill, but the roll call also showed growing numbers of Democrats prepared to use the power of the purse to end the war.

Since March 2006, eighty Democrats have switched to voting no on war funding, due in part to persistent lobbying by local constituents and peace groups. After voting for funding as recently as December, veteran Democrats like **John Dingell** and **Dale Kildee** changed their votes in response to pressure from United for Peace and Justice's Michigan Peace Action Chapter. "They are riding the wave," says UFPJ's **Sue Udry** of the additions to the nay camp. "Now it's safe to vote against the war. There had been pressure on them from their districts, but it had been building slowly. The grassroots peace movement has been hounding Congress for years, and finally it pushed them over." The lesson of the May 15 vote? "The strength of the peace movement is people's willingness to keep hounding." SUSANNAH VILA

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orientation. To be sure, the symbol of marriage may matter a lot to some, mainly marriage-minded gays and Christian conservatives, but few voters are willing to hang a national election on it. According to a May Gallup poll, just 16 percent of Americans think that a presidential candidate must share their view on gay marriage.

The California gay marriage debate illustrates important national trends for Democrats. Growing numbers of Americans favor gay rights, including some form of partnership recognition for same-sex couples, especially when framed as economic and legal rights. This is particularly true of young voters; in California 55 percent of voters under 30 support gay marriage, and nationwide 63 percent of voters under 40 support civil unions or domestic partnerships. But this trend also holds true for voters of all ages; a 2007 Field poll reported that Californians young and old were four times more likely to say they are becoming more accepting of gay relationships than less accepting. Moreover, when the symbolic weight of marriage is removed from the equation, support for gay rights becomes overwhelming. Nationwide, a whopping 89 percent of voters favor protecting gays and lesbians from employment discrimination.

Instead of fearing an anti-gay backlash, then, Democrats should take this moment to reconsider their longstanding assumption that cultural antagonisms can only hurt their national electoral prospects. Fearing the worst, for decades the Democrats caved to or triangulated around cultural conservatives, making ill-fated examples out of every Sister Souljah in the house and offering insulting sops to "family values," like video-game ratings. Indeed, the premise that Democrats are still on the losing side of the culture war defined the last weeks of Hillary Clinton's campaign, which, aided by the mainstream media, dredged up nearly every assumed liberal Achilles' heel of the past forty years—race, religion, guns, elitism, patriotism and '60s radicalism—in order to paint Barack Obama as a general election loser. But, like Christian conservative attempts to portray same-sex marriage as a "threat to civilization," the culture war against Obama—waged around flag pins, Reverend Wright, Bill Ayers and bowling scores—was a whole lot of sound and fury signifying nothing. Thankfully, the majority of Democratic voters refused to be manipulated by these symbols sheared of substance, and now it is time to retire the paradigm altogether. An overdetermined catchphrase, "the culture war" was always an insult—most of all to the concept of culture itself, which the right wing reduced from a good or an aspiration to a series of cheap slurs aimed at liberals who drank too many lattes or hailed from the wrong places, like Massachusetts and San Francisco. But demography was always trending the other way, and now Starbucks lattes can be found in every small town, hip-hop is everywhere and homosexuals are here, queer and on the bridal registry—all of which elicits a collective yawn from the under-40 set.

RICHARD KIM

Calvin Trillin, Deadline Poet

Republican Bonding

While speaking in Israel our very own Caesar
Said he who would talk to Iran's an appeaser—
Like Chamberlain, say, when Hitler was met.
(Although not like Nixon and Mao's chat, we'd bet.)
Obama's that guy, said McCain right away,
Allowing the Democrats' planners to say,
When push comes to shove and when shove comes to push,
We'll all be pronouncing his name as McBush.

J. Edgar Hoover, Author

J. Edgar Hoover was FBI director for forty-eight years, and he was also an author—a bestselling author. His *Masters of Deceit*, published in 1958 by Henry Holt, spent thirty-one weeks on the *New York Times* bestseller list and sold more than 250,000 copies. In paperback it sold more than 2 million. But dealing with the director presented unique challenges for Holt. The special relationship is documented in the FBI's 234-page Henry Holt file, obtained under the Freedom of Information Act by Claire Culleton, who writes about it in her new book *Modernism on File: Writers, Artists, and the FBI, 1920–1950* (edited with Karen Leick).

COMMENT

The FBI's Holt file is unique among the millions of files at bureau headquarters: it does not contain the usual reports on an individual's left-wing sympathies and activism but rather information about the firm and its efforts to woo Hoover as an author. The company began courting Hoover when he was known to be agitated about the 1950 publication of the first book critical of the FBI: *The Federal Bureau of Investigation* by Max Lowenthal. A senior Holt official—his name is blacked out—knew how to get Hoover's attention. The Lowenthal book "makes me a little sick," he wrote to the director. "This book should not have been published.... when we are fighting for survival, as God knows we are today, there are certain irresponsible views that need not and should not be expressed." Because of the Lowenthal book, "it is of the utmost importance that an accurate, considered book evaluating the importance of one of our last strongholds against Communism (the FBI) be presented to the public by a responsible publisher." He modestly suggested that Holt fit the bill. He also suggested that the author should be Hoover.

Most authors do a little research on potential publishers of their work, but Hoover had something no other author did: the world's biggest file system, containing confidential reports gathered by professionals over decades. The Holt file includes a five-page memo that agents prepared for Hoover, reporting on their search for "derogatory information." The report was pretty clean: in 1946, six years earlier, one Holt employee had attended a meeting of the Independent Citizens' Committee of the Arts, Sciences, and Professions—"a communist front." As

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CONTROL THE COURTS, CONTROL THE FUTURE

By Michael Kieschnick
Co-founder, CREDO Mobile

George Bush knows that. So throughout his two terms, he has aggressively packed the judiciary – including the Supreme Court – with young jurists whose loyalty to the Constitution takes a back seat to their ideological fervor. How right wing are they? In decision after decision, Bush appointees have ruled to protect the presidency from democratic oversight, deny free speech rights to students, and favor corporate interests over the rights of workers, HMO members, and other Americans seeking justice.

Lifetime appointments will allow George Bush to influence our rights and liberties long after his eight years of infamy have come to a close. Yet resistance to his nominees to the highest court has been notably muted. Bush's nominee for chief justice, John Roberts, was approved with minimal objection, despite his record against clean air rules, the Voting Rights Act and Roe v. Wade (to name just a few). What's more, Roberts is likely to remain chief justice long after the average reader of *The Nation*, including me, has gone on to another life.

The nomination of Samuel Alito – another Bush selection with a history of support for conservative causes – engendered stronger opposition from civil rights and women's organizations. But environmental groups were noticeably absent from the fight. And even though he was widely seen as the potential tie-breaking vote to overturn Roe v. Wade, many pro-choice senators refused to join the filibuster to block his appointment. And Alito joined the court.

We all know what happened next: a stream of Supreme Court decisions to thwart reproductive rights, block legitimate claims of gender discrimination, and deny *habeas corpus* and other basic rights to detainees at Guantanamo. Soon, these same justices are likely to rule on Bush's aggressive claims of executive privilege, and the outcome may be very different than during the Nixon administration. As Roberts and Alito vote against the public interest in decades to come, we will be constantly reminded of the high price we are paying for the passivity of our opposition.

With an eye toward his legacy, George Bush continues to try to ram through even more conservative nominees, including such illustrious jurists as:

Steve Matthews, nominated to the Fourth Circuit in Richmond, Virginia, has zero experience as a judge, but lots of experience writing checks to Republican politicians.

Gus Puryear, nominated to the U.S. District Court in Tennessee, has spent his career working for the Corrections Corporation of America (CCA) – America's largest private prison operator. He personally supervised a case in which important evidence of women being sexually assaulted in prisoner vans suspiciously "went missing" from CCA files.

Peter Keisler, a well-connected, highly partisan conservative, who clerked for both Robert Bork and Anthony Kennedy, has been nominated to the Court of Appeals in D.C. – widely viewed as second only to the Supreme Court in judicial influence. Keisler is so controversial that the Senate has already declined to act on his nomination, twice!

Here at CREDO, we believe that seven years of sliding to the right has caused more than enough damage to our judicial system. And rather than waiting for history to repeat, we're mobilizing our customers, nonprofit allies, liberals, progressives and everyone else who cares about justice to finally put an end to Bush's court-packing campaign. So log on to credoaction.com and join us in urging Judiciary Committee Chairman Patrick Leahy to keep Bush's new round of right-wing nominees off the bench.

Paraphrasing a recent attorney general, history will not look kindly on those who stand by as the judiciary is packed.

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for the company president, Edgar Rigg, "Indices NYO negative on Rigg" ("NYO" was the New York office of the FBI).

The report also noted that Clint Murchison "is listed in Poor's Register as a Director of the Company" who owned 22 percent of it. That was important. Murchison, a right-wing Texas oilman, was a friend of Hoover and of his top assistant at the bureau, Clyde Tolson. Murchison owned the Del Mar racetrack and a hotel near San Diego, where Hoover and Tolson were regular guests. He was also a funder of the John Birch Society, but the report didn't mention that. Murchison's presence guaranteed that the firm had no left-wing influence.

That report apparently cleared the way for Hoover. There's nothing in the file about the book manuscript or the editing process, but after Holt published *Masters of Deceit*, it spent a number of weeks in the number-one spot.

What author doesn't want to see his work translated? In 1959 Tolson wrote to Holt president Rigg, "Dear Ed: When [name blacked out] visited Mr. Hoover this morning, he expressed an intense interest in seeing that a paperback edition of 'Masters of Deceit' printed in the Spanish language is published in Latin American countries." A few months later *Maestros del engaño: revelaciones del director de la FBI* was published in Mexico. Japanese, Mandarin and Portuguese translations followed. By 1966 Hoover's translation projects had become truly wild: the FBI file contains a letter from Holt reporting on "the sale of rights" for translations of his work into "Assamese, Bengali, Burmese, Gujarati, Kannaba, Laotian, Marathi, Punjabi, Pashtu."

The year after Holt published *Masters of Deceit*, a new anxiety arose at the bureau over the firm's plans to merge with publishers Rinehart and Winston. Many authors today can identify with Hoover's concerns about changes in his publisher's ownership and management, but once again, they can't do what Hoover could. His agents checked up on Rinehart and Winston, reporting that there were no black marks for the Winston Company, but that Rinehart had published *Seduction of the Innocent* by Dr. Fredric Wertham, which blamed comic books for juvenile delinquency. The problem was not the book but its author: "A confidential informant of unknown reliability in 1953 said Wertham espoused and follows the Communist party line." Also, "during a hearing on a writ of habeas corpus in the Julius Rosenberg case, Wertham testified that in his opinion incarceration of Ethel Rosenberg in the Death House at Sing Sing was cruel and inhuman treatment." That was bad, but Wertham was the only bad author in the Rinehart stable, so Holt, Rinehart and Winston published Hoover's next book, *A Study of Communism*, in 1962.

Of course, publishers have always catered to their bestselling authors. One of the differences here is that because of FOIA, we can document the Hoover-Holt relationship, while the cringing letters sent by other publishers in response to brusque author demands remain hidden in company file cabinets.

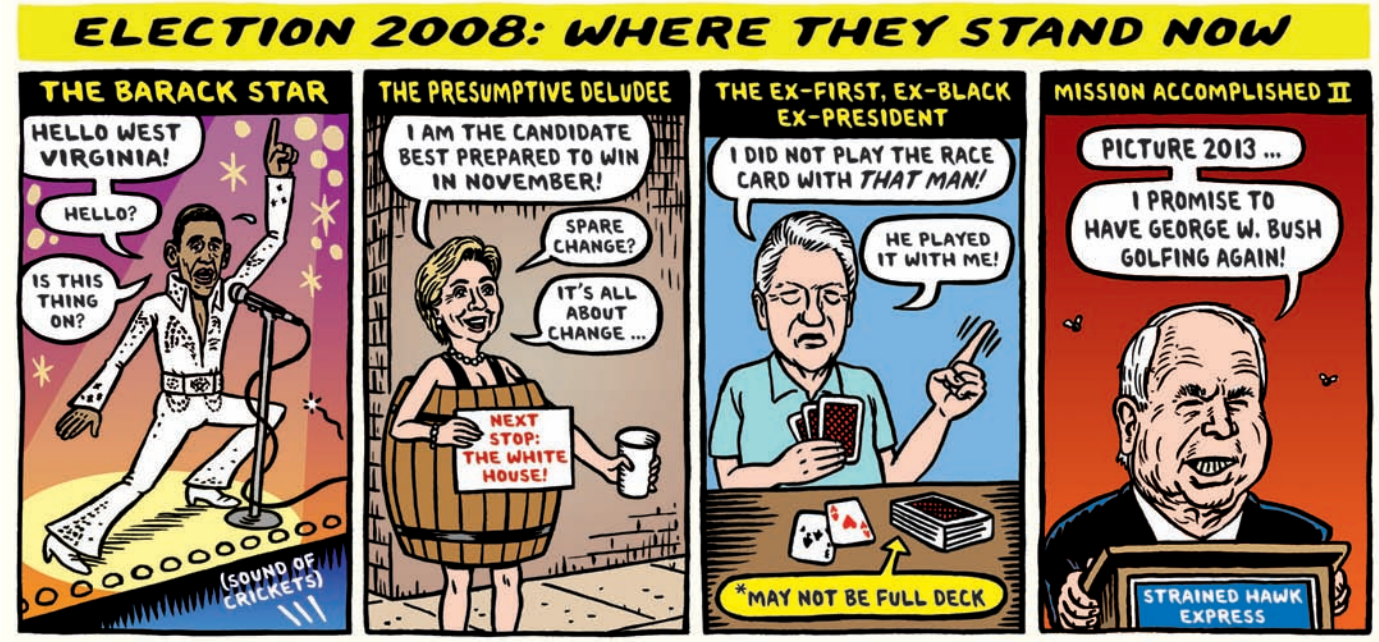
There's nothing wrong with a government official checking a publisher's politics before signing a contract. But when the FBI monitored the political views of publishers' employees and authors, it violated their right to privacy and threatened their freedom of expression.

Today Henry Holt publishes many writers on the left, including Noam Chomsky, Barbara Ehrenreich, Mike Davis and Chalmers Johnson—all of them bestsellers. Almost nothing like their work was published, by Holt or any other mainstream publisher, in the era of *Masters of Deceit*. The book business has changed for the worse in many ways since the 1950s, but this broadening of debate is clearly a change for the better. JON WIENER

Jon Wiener, a professor of history at the University of California, Irvine, and a Nation *contributing editor, is the author of* Gimme Some Truth: The John Lennon FBI Files.

Comix Nation

by WARD SUTTON


ELECTION 2008: WHERE THEY STAND NOW
THE BARACK STAR
HELLO WEST VIRGINIA!
HELLO?
IS THIS THING ON?
(SOUND OF CRICKETS)
THE PRESUMPTIVE DELUDEE
I AM THE CANDIDATE BEST PREPARED TO WIN IN NOVEMBER!
SPARE CHANGE?
IT'S ALL ABOUT CHANGE ...
NEXT STOP: THE WHITE HOUSE!
THE EX-FIRST, EX-BLACK EX-PRESIDENT
I DID NOT PLAY THE RACE CARD WITH THAT MAN!
HE PLAYED IT WITH ME!
*MAY NOT BE FULL DECK
MISSION ACCOMPLISHED II
PICTURE 2013 ...
I PROMISE TO HAVE GEORGE W. BUSH GOLFING AGAIN!
STRAINED HAWK EXPRESS

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Alexander Cockburn

From Palmyra to Obama

Palmyra, Syria

These days, it's an almost irresistible temptation to believe that when the present incumbent finally rides his mountain bike off into the sunset in January, the world will be a better place merely by the fact of his absence. Amid the sinister twilight of the Bush years, such hopes are understandable. Looking at the blazing bodies of their comrades, used as torches to brighten up Nero's royal banquets, the early Christians must certainly have rejoiced when he passed, little knowing that not so far over the horizon loomed Domitian and other emperors eager to add uplifting chapters to the Book of Martyrs.

Is it conceivable that Obama or Clinton or McCain could be as bad or worse than Bush?

Out in the desert some 200 miles east of Syria's Mediterranean coastline, the old oasis city of Palmyra looks at a glance like Las Vegas's future—a couple of thousand years after the water finally ran out, and all that's been excavated are some columns and broken statues from Caesars Palace, maybe the campanile from the Venetian Hotel and the sphinx in front of the Luxor Hotel south down Las Vegas Boulevard.

Early in the second century opportunity knocked for the Palmyrenes and they seized their chance. A shift in the political situation suddenly made Palmyra the safest route between Rome and Parthia for the desert caravans carrying textiles, spices and oils along the old Silk Road from China. The Emperor Trajan finished off Petra as an independent trade entrepôt, and that made him "good" in the eyes of Palmyrenes, just as he became very "bad" in the eyes of the merchants of Petra.

For nearly 300 years the good times rolled as Palmyra taxed the trade shipments. There's a carved stele from 134 AD recording Palmyra's specific excise duties on the silk, dyes, perfumes, ivory, precious stones, jade, slaves, prostitutes and gold coming through. Palmyra flourished. Stone for the new tetrapylon on Main Street? Let's ship pink granite columns in from Aswan! Cemeteries? Stow the clan in a big tower that everyone can see on the way into town. The super-rich gladly ponied up the hefty fee for mummification. Palmyra's special contribution to column design seems to have been a projecting ledge about halfway up where the tycoon paying for the column could put a nice bust of himself. Many of the statues were pre-carved on an island in the Sea of Marmara, shipped across the desert on ox carts like everything else and then chiseled into final resemblance on site. Bountiful were the animal sacrifices in the Temple of Bel, a vast complex personally rehabbed at staggering expense by Palmyra's precursor to Donald Trump, Male Agrippa, who also footed the bill for a visit by the Emperor Hadrian.

Then, as quick as the ascent, came collapse. The power vacuum in Rome, seized to her advantage by Palmyra's Queen Zenobia, had suddenly filled. The political situation changed farther east, in Persia. Was there anything specifically and personally "bad" about the Emperor Aurelian, who sacked Palmyra in 272? Not really, though the Palmyrenes no doubt thought so. He was just pushing ahead with the empire's long-term policies.

The day I was in Palmyra the Emperor Bush II was in the Knesset giving his speech, a slab of rhetoric so ripe in its homage to Israel that the *New York Times* reprimanded him editorially for bad taste. In its immediate aftermath I had an opportunity to ask a member of the Syrian cabinet, Dr. Bouthaina Shaaban, whether she thought the installation of a new US President in January would diminish the forebodings she had just been outlining with great passion—from the continuing human catastrophe in Iraq, to the horrors of Israel's siege of Gaza, to the obvious US intent to provoke another terrible civil war in Lebanon. (For the record, Dr. Shaaban does not think a war with Iran is likely.) She didn't hesitate to answer me by saying she envisaged no change if a candidate such as Barack Obama settles into the Oval Office.

The continuous policy of the United States is to divide and rule, she said—has been and will be for the foreseeable future—to fan schism and internecine bloodletting in the region, to set Arab against Arab, whether they be the communities of Lebanon or the Shia and Sunni in Iraq. Syria is paying a stiff price for the human catastrophe in Iraq, hosting nearly 2 million Iraqi refugees (Dr. Shaaban's estimate), which is placing a huge drain on the country's social services, as the US government is gleefully aware. While Dr. Shaaban was ridiculing Bush's speech—a universal reaction among those I met—one member of the *Times*'s extensive stable of neoconservative columnists, David Brooks, was fretting that a statement Obama had made after Bush's Knesset speech did indeed constitute "appeasement," indicating he had drifted off into "Noam Chomskyland." Obama's sin had been to say that "it's time to engage in diplomatic efforts to help build a new Lebanese consensus," focusing on electoral reform, an end to a corrupt patronage system and the promotion of an equitable economy.

So anguished was Brooks by these dread prospects that he phoned Obama, who promptly furnished answers resoundingly mollifying the columnist's suspicions. According to Brooks, Obama confided to him that "in some ways he'd be tougher than the Bush Administration," doing more, to take one specific example, to arm the Lebanese military. (This schedules a bloodbath in Lebanon in Year One or Two of the Obama administration.) Obama's bottom line to Brooks was straight-up Caesarism: "The [US] generals are light-years ahead of the civilians. They are trying to get the job done rather than look tough."

Let our prayers be for incompetent emperors who talk tough but screw up. ■

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Katha Pollitt

Déjà Vu in South Dakota

It's baaack. In 2006 South Dakota voters defeated, 56 to 44, a ballot initiative that would have banned abortion even to save the woman's life. Prochoicers cautiously exhaled. Antichoicers got busy. Taking a leaf from polls that suggested a hefty majority would favor a ban as long as it included exceptions for drastic circumstances—rape, incest, the life or physical health of the woman—antichoicers have rolled out a new initiative, Measure 11. It contains loopholes, in theory, for rape and incest victims who report the crime to law enforcement and allow collection of their DNA and that of the fetus, as well as to women "at serious risk of a substantial and irreversible impairment of the functioning of a major bodily organ or system." An ominous sign: it was submitted to the secretary of state on March 31 with 46,000 signatures, although only 16,000 were required.

In 2006 activists stressed the lack of exceptions—you'd force the woman to die? go blind? be paralyzed? bear her father's baby? That argument was persuasive but left the vast majority of women who terminate their pregnancies undefended against the widespread belief that they were selfish sluts who used abortion "as birth control." This is how short-term strategies come back to haunt us. There was always the risk that antichoicers would go for what they could get. As South Dakota's own Leslee Unruh, colorful head of the Abstinence Clearinghouse, told the *New York Times*, "I have to save as many children as I can."

With 44 percent of South Dakotans supporting the Let the Woman Die ban, what are the chances that the new, supposedly more lenient version will be defeated? Jan Nicolay, co-chair of the South Dakota Campaign for Healthy Families, the group formed to oppose the 2006 ban, told me voters will reject the ban when they realize its implications: forcing women to carry to term fetuses that cannot survive, tying doctors' hands in difficult obstetrical situations, "revictimizing" rape and incest victims by destroying their privacy. Not necessarily, replied a prochoice activist who wished to remain anonymous: "To challenge the exceptions you have to get deep into the fine print. We can't have a two-hour discussion with every voter in South Dakota." She pinned her hopes on another popular strategy: appealing to the state's libertarian streak. South Dakotans, I heard again and again, don't like the government telling people what to do. But does that include women who have abortions—alternately depicted as tramps who waltz to the clinic after a night on the town and as naïve weaklings pushed into decisions they will later regret? Of the prochoice activists I spoke with, only Charon Asetoyer, a Native American community activist and health advocate running for State Senate, talked directly about organizing voters around the classic feminist theme of faith in women to make good decisions, to do what's best for their families.

If "faith in women" sounds old-fashioned, maybe that's the problem. In this fight, the antichoicers have the vision, the grassroots energy and the political momentum (as well as the Catholic and evangelical churches and key legislators in both parties), while the prochoicers are left with abstract arguments and the fall-back position that the ban, if passed, will be enjoined by the courts and eventually found unconstitutional. "This could be a galvanizing moment," said one out-of-state activist. "It's outrageous that a state could even be considering a ban! Instead of thinking about the Supreme Court, the national organizations—Planned Parenthood, NARAL, the ACLU—should be mobilizing women. I don't hear anything creative coming from them." Indeed, as of this writing I haven't received so much as an e-mail about South Dakota from a national reproductive-rights or feminist organization.

Local activists may warn that Dakotans don't take kindly to out-of-staters interfering, but defeating the ban is going to take millions—money that's being swept up into the presidential race and other high-profile campaigns. NARAL's puzzling, no-strings endorsement of Obama could not have come at a worse moment. Not only was it too late to matter, it needlessly infuriated the Clinton-favoring donor base and important state affiliates. Meanwhile, South Dakota NARAL's operation consists of one paid staffer. No one I spoke with was surprised the ban is back. So why aren't the big organizations better prepared for it?

"We had a very rich, substantive discussion of abortion here in 2006," insists Sarah Stoesz, head of Planned Parenthood of Minnesota, North Dakota and South Dakota. "By the end of that summer, a lot of prolifers were saying that they were still prolife but could see the complexity of the issue; they didn't want to decide for another woman. People changed." In this reddest of red states, where John Kerry got just 39 percent of the vote in 2004, could abortion be a way into a larger conversation? Stoesz thinks so. "We've been able to show that abortion is not an issue to shy away from but to embrace. In South Dakota the repro-rights movement is leading the progressive coalition."

But come on, South Dakota, we can't keep meeting like this! If enough progressive prochoicers could get elected to state offices, the political culture would start to change—and not just on abortion rights. A group called WomenRun! South Dakota is promoting a terrific group of Native American women candidates: Charon Asetoyer and Theresa Spry are running for the State Senate; Senator Theresa Two Bulls, the first Native American woman to serve in the Legislature, is facing a primary challenge; Diane Kastner, Lisa Cook and Caitlin Collier are running for House seats. While nationally the Democratic Party is welcoming antichoice conservative candidates, these women are committed to a broad progressive agenda on reproductive rights, education, healthcare, racial equality, economic development and local democracy. Read about them at www.womenrun.org, and make good use of the Donate button (checks can be mailed to WomenRun! SD, PO Box 2983, Minneapolis, MN 55402). ■

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Books & the Arts.

Dead Letters

by WILLIAM DERESIEWICZ

Of all the names that ring out from the annals of Viennese cafe society, that storied model for later bohemias, none is more elegiac than Stefan Zweig's. Hitler destroyed that world, but the Great War had already rung the curtain on its golden age. The greatest names and greatest achievements belong to the three decades surrounding the turn of the century: Mahler, Schnitzler, Klimt, Schiele, Freud. After the war, after the Austro-Hungarian Empire, whose tolerance and multinationalism made Vienna's cosmopolitan ferment possible, the mood is all of loss, whether nostalgic or disillusioned, Joseph Roth or Robert Musil. But if Roth and Musil come late, Zweig comes last. He wasn't the youngest or the last to die, but he believed longest in the pan-European culture Vienna represented, and his career embodied the passing of that ideal. Zweig, the most popular author of his day, knew everyone who mattered in European culture, and he seems to have read every thing that mattered. His outpouring of biographical studies—books and essays not only on Mahler, Schnitzler, Roth and Freud but also on Erasmus and Montaigne, Goethe and Nietsche, Dickens and Dostoyevsky, and many, many others—can be understood as a mission, impelled by a growing sense of doom, to preserve European civilization and the humanistic values for which it stood. But though he escaped the camps, he couldn't escape the sense that everything he cared about was being exterminated. His death in 1942, in a Brazilian backwater, was a suicide.

Zweig's fiction is also marked by the two catastrophes he witnessed, especially the first. His best-known tale, "Chess Story," completed, like his memoir *The World of Yesterday*, on the eve of his death, registers the Nazi hostility to the life of the mind. But two previous stories—he wrote about twenty in all—allegorize the earlier loss. In "Buchmendel" ("Mendel the Bookman," as it might be rendered), the Great War destroys a living repository of bibliographic knowledge who dared to ignore the political barriers—irrelevant to his universe of culture—the conflict has created. In "The Invisible Collection," a wife and daughter sell off a connoisseur's unparalleled assemblage of engravings to stave off poverty during the postwar hyperinflation. The collector is blind by then, and still lovingly caresses the blank pages his family has slipped into his portfolios to conceal the loss. The image is immeasurably poignant, but it is also double-edged: European culture has been erased by history, yet it is still alive in the minds of those who cherish it.

But nowhere else in his fiction does Zweig confront the legacy of the Great War with as deep a social reach or as detailed a human sympathy as he does in *The Post-Office Girl*. Zweig completed only one novel, *Beware of Pity*; *The Post-Office Girl* was found among his literary remains and published in Germany (as *Rausch der Verwandlung*, "The Intoxication of Transformation") only in 1982. Its appearance in English caps a recent spate of republication. Since 2002, Pushkin Press has issued six volumes of fiction, while New York Review Books has published three, all nine of them in attractive editions and many in new, competent translations. Other presses have contributed fresh versions of *The World of Yesterday*, *Marie Antoinette*, Zweig's most popular biography, and another volume of short stories. We have three recent translations of "Chess Story" and two editions of *Beware of Pity* from which to choose, as well as new versions of some fourteen other tales.

DANIEL A. REED LIBRARY, STATE UNIVERSITY OF NEW YORK, FREDONIA, NY

Stefan Zweig stands next to his brother, Alfred. Vienna, circa 1900

The Post-Office Girl
By Stefan Zweig.
New York Review Books. 257 pp. $14.

Still, posthumous publication is a dicey business. There's been more and more of it lately, for obvious reasons. Venerated authors represent established "brands" guaranteed to move product, one of the few sure bets in an increasingly anxious business. Artistic integrity and the writer's wishes don't enter into it. Ernest Hemingway and Elizabeth Bishop, celebrated perfectionists both, are only two of the

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authors lately subjected to the publication of material they had chosen to suppress. New York Review Books, established in 1999 to revive neglected classics, is presumably acting on nobler motives here, but there is reason to question its judgment nevertheless. Zweig nibbled at *The Post-Office Girl* for years. The NYRB press material claims that the novel was found completed after its author's death, "awaiting only minor revisions," but the afterword to the German edition describes a manuscript in considerable disarray. Given that Zweig chose his own time of death, and given that he had just finalized two other works and dispatched them to his publishers, it seems clear that he never managed to hammer the novel into a shape that satisfied him. NYRB, which seems to have gotten a little carried away here with its project of reclamation, should at least have provided the volume with an introduction (as it did in the case of its other Zweig reissues) airing these questions fully and candidly.

Nevertheless, we are lucky to have the book, not only for its devastating picture of postwar Austrian life but also because it represents so radical a departure from Zweig's other fiction as to signal the existence of a hitherto unsuspected literary personality. No wonder he struggled with it for so long; he was listening to a new voice, and he may never have fully figured out what it wanted to say. The typical Zweig story is a tale of monomaniacal passion set loose amid the veiled, upholstered civility of the Austrian bourgeoisie, the class into which Zweig was born. A wife in a corseted marriage, an army officer stunted by the regimented routines of duty, an aesthete numbed by his meaningless rounds of pleasure—through a chance encounter or a moment of moral daring, each is precipitated into a state of almost demonic possession by guilt or greed or desire. Zweig, whose obsession seems to have been obsession itself—he speaks in "Buchmendel" of "the enigmatic fact that supreme achievement and outstanding capacity are only rendered possible by mental concentration, by a sublime monomania that verges on lunacy"—was alive to both the life-affirming and the self-destructive potentialities of the situation. Repression, released at last, careens past exhilaration toward derangement. Zweig's newly awakened protagonists finally notice the world and feel its urgency pressing in on them for the first time, but their souls don't know what to do with so much feeling.

There are whiffs of Dostoyevsky here, and of the nineteenth-century Decadents, and even occasionally of Sacher-Masoch, another Viennese—Zweig was largely uninterested in postwar Modernism, and he can feel like a throwback to the *fin de siècle*—but the major influence, of course, is Freud. Zweig, who delivered an oration at his friend's funeral, saw himself as a kind of Freud of fiction, a fellow spelunker in the caverns of the heart. His prose attends not only to the moment-by-moment fluctuations of his characters' inner turmoil but also to the symptomatology manifested on their bodies: the tremor of a gambler's hands, the shifts of an adulteress's gaze. His characteristic method is also Freudian. Nearly all his tales feature a frame narrator, someone to whom the protagonist confesses her secrets. The encounter typically takes place at a continental resort or hotel, one of those cosmopolitan spaces of luxury and mystery. Storytelling bridges the distance between strangers—culture doing its unifying work—but it also marks the distance between the narrator and the volatile emotional material he handles. The telling of the tale becomes a kind of resocializing device, replacing the containing structures that have broken down within the tale, and the narrator becomes a kind of analyst or, indeed, a connoisseur. In "Moonbeam Alley," the narrator clearly speaks for Zweig when he evokes "the delightful sensation of an experience made deepest and most genuine because one is not personally involved," a sensation, he says, that "is one of the well-springs of my inmost being."

Zweig saw himself as a Freud of fiction—a fellow spelunker in the caverns of the heart.

By renouncing the pleasures of vicarious feeling, *The Post-Office Girl* achieves an immediacy otherwise unequaled in Zweig's fiction. No frame narrator screens us from the title character, 28-year-old Christine Hoflehner, postal clerk in the sleepy Austrian village of Klein-Reifling. The year is 1926. Christine shares a dank attic with her rheumatic mother. Her youth has been stolen by the war, along with her father, her brother and her laugh. But into the gloom of her days a sudden light breaks—a telegram from her aunt Claire, gone to America years before and now come back a rich lady. Claire invites her niece to join her on holiday in Switzerland. With a limpid and sensuous directness, Zweig renders the intoxication of the transformations that follow: the provincial girl's "first reckless gulp" of "glass-sharp" alpine air as she throws open the window of her train, her newly awakened shame as she creeps into the grand hotel clutching her straw suitcase, the greedy flare of her nostrils as her aunt inducts her into the world of finery. This is Christine in the beauty salon:

> Now fragrance from a shiny bottle streams over her hair, a razor blade tickles her gently and delicately, her head feels suddenly strangely light and the skin of her neck cool and bare.... She's aware of it all and, in her pleasant detached stupor, unaware of it too: drugged by the humid, fragrance-laden air, she hardly knows if all this is happening to her or to some other, brand-new self.

The notation is swift and simple. When Zweig's characters tell their own stories, by contrast, the prose can be overwrought, the effect distractingly self-conscious. Here, for example, is the protagonist of "Fantastic Night" undergoing an analogous awakening:

> No, it was not shame seething in my blood with such warmth, not indignation or self-disgust—it was joy, intoxicated joy blazing up in me, sparkling with bright, darting, exuberant flames, for I felt that in those moments I had been truly alive for the first time in many years, that my feelings had only been numb and were not yet dead, that somewhere under the arid surface of my indifference the hot springs of passion still mysteriously flowed, and now, touched by the magic wand of chance, had leaped high, reaching my heart.

In place of such labored figures, Zweig marks Christine's discovery of the life of pleasure, and the unfolding of her newfound self, with fresh, unfussy imagery: a carnation in a vase is like "a colorful salute from a crystal trumpet"; her first sip of wine goes down "like sweet chilled cream"; the silk dresses her aunt picks out "glisten like dragonflies," their "yielding new fabric" a "warm, delicate froth on her skin." Christine's body is awakening for the first time, and the language transmits the sensuality of that experience.

Zweig was never shy about making use of traditional narrative models. The main archetype here is Cinderella, of course, but Sleeping Beauty enters in, as well. Christine isn't just poor and overworked; she's been in a state of suspended animation ever since the war inter-

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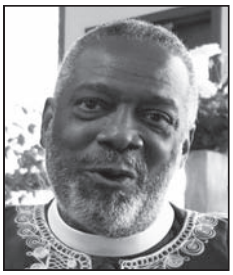
Protestant, Catholic and Jewish Clergy Speak Out Against The War on Drugs

View this 10-minute video at: www.idpi.us/clergy_dvd

"One of the reasons that we as religious leaders need to speak out against it is because we share responsibility for it."

– **REV. SCOTT RICHARDSON**, Dean, St. Paul's Episcopal Cathedral, San Diego



"There has to be a complete reconsideration of what law enforcement represents in our community... I'm convinced that it would be a totally different world if that adversarial relationship did not exist between law enforcement and the young people of this country."

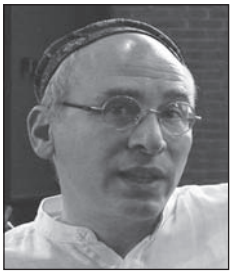
– **REV. EDWIN SANDERS**, Senior Pastor, Metropolitan Interdenominational, Nashville

"With the mandatory sentences you don't need a judge or a jury. All you need is a clerk to come in and weigh the drugs... [T]he whole drug policy and those laws need to be repealed."

– **SISTER MARION DEFEIS**, Catholic prison chaplain (ret.)

"We know we have a drug problem [but] war is definitely not the answer... The reality is... this drug war has put more armaments on our streets."

– **EDDIE LOPEZ**, Former United Methodist Pastor, New York



"I would say that the war on drugs has caused as much devastation to communities around this country, particularly low income communities, as the drugs themselves."

– **RABBI MICHAEL FEINBERG**, Exec. Dir., Greater New York Labor-Religion Coalition

The Interfaith Drug Policy Initiative - www.idpi.us
Produced by Common Sense for Drug Policy - www.csdp.org

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rupted her womanhood just as it was getting started. What her fairy-godmother aunt makes possible with a wave of her magic purse is nothing less than Christine's repossession of her femininity. Within the space of a few days, even a few hours, she learns what it feels like to be beautiful, to be fashionable, to be noticed. She falls in love with the image in her mirror and gives herself a new, more elegant name. She runs in the mountains and shakes the dew from her hair. She dances to hot music, makes out in the back seat of a roadster and stays up late gossiping with her girlfriends. She isn't particularly admirable at this point, neglecting her aunt in favor of the fast new set she's fallen in with, forgetting to write to her ailing mother, adjusting all too easily to a life where other people do the work. As usual, Zweig doesn't make our moral allegiances easy. But the story's direction seems clear. Christine is pursued by two men, a handsome young German engineer—he's the fellow with the roadster—and a protective old English general: sexy Herr Wrong and courtly Lord Right, a love triangle in which she seems certain to get caught on the wrong side.

And then, with the suddenness of someone pulling the plug on a carousel, Zweig brings the whole thing to a halt. Christine's friends discover that she's not the young lady she's been pretending to be, and Aunt "Claire (formerly Klara)" fears for the discovery of her own long-buried secrets. After scarcely more than a week, Christine and her straw suitcase are sent packing back to Klein-Reifling. Midnight has struck for Cinderella, but there will be no glass slipper and no prince. If anything, Christine's life is even worse than it was before, because now she knows what she's been missing. Suspended animation is one thing, but this feels like death, the death of the new, true self who had only just begun to stir. The village becomes intolerable:

> The women seemed ridiculous to her in their full gingham skirts, with their greasy hair piled on top of their heads and their plump hands covered with rings, the heavy-breathing, potbellied men unbearable, and, most repellent of all, the boys with their pomaded hair and citified airs.

The sweet little schoolmaster who had courted her shyly before her departure is now "intolerably lower middle class"—a term that would never have occurred to her before. In moving the novel away from the grand hotel toward a more complex counterpointing of social spheres, Zweig opens his fiction for the first time to a world of economic realities that lies below his own experience. The wonder is that he succeeds in imagining those realities with such an intimate specificity.

The expansion of Christine's consciousness, and the novel's, is only just beginning. Visiting her sister Nelly's family on a trip to Vienna, she meets Ferdinand, her brother-in-law Franz's comrade from the war. Whatever reasons Christine has for resentment, Ferdinand has many times over, and whatever awareness has started to break in on her, he has articulated long ago. Ferdinand spent years in a Siberian prison camp, only to return to a country that no longer had any use for him. His dreams of becoming an architect have been dashed by poverty, his chances for even decent employment wrecked by injury. His family wealth evaporated in the hyperinflation. He has beaten on the doors of ministries, climbed the stairs of government agencies, and has nothing to show for his talent and drive but the sense of a wasted life.

The question of historical luck, and the possibility of alternative lives, is everywhere at issue.

When Ferdinand's bitterness comes pouring out in a torrent of savage eloquence, Christine recognizes a kindred spirit. Unlike the priggish Nelly or the paunchy Franz, here is someone who refuses to accept the radically diminished expectations imposed by the war. A potent system of imagery links the two. Christine feels "like a severed finger still warm yet without feeling or strength." A finger is exactly what Ferdinand has injured, but, he says, "you wouldn't believe what a dead finger does to a living hand." But that is not his only disability. "Once they've cut six years out of your body…you're always a kind of cripple." This is what it feels like to be dispossessed, to be marginalized, to be cheated out of the life you could have had and the person you could have been: it feels like you've been cut in half. Zweig is again tracing the commerce of body and soul, and the sensuousness of his earlier, happier descriptions pays off double here, because he renders the life of deprivation with equal immediacy. "The smell is suffocating," Christine thinks of her attic room, "the smell of stale cigarette smoke, bad food, wet clothes, the smell of the old woman's dread and worry and wheezing, the awful smell of poverty." "Poverty stinks," Ferdinand echoes her, "stinks like a ground-floor room off an air-shaft, or clothes that need changing. You smell it yourself, as though you were made of sewage." Poverty isn't just doing without; it is also shame and impotence and self-disgust. War isn't just bullets; it is also what happens afterward.

All of this represents an immeasurable advance over Zweig's other fiction. Instead of a single emotion intensively examined within a narrow social frame—a fair description even, as its title suggests, of *Beware of Pity*, though that work is considerably longer than *The Post-Office Girl*—Zweig gives us fully rounded lives rooted in a broad historical context. This, he is telling us, is what the war has done to people. This is what history has made of their bodies. This is the fate of a whole generation. The question of historical luck, and thus of the possibility of alternative lives or selves, is everywhere at issue. Franz made it home right after the war; Ferdinand got stuck in Siberia for an extra two years. Klara was sent off to America; her sister Maria, Christine's mother, spent the war working in a damp hospital basement. The postwar generation of girls is bold and shameless, but everywhere Christine looks she sees women like her, who have missed their chance at life.

The affair she begins with Ferdinand, two souls clinging together for friendship more than anything else, is no less immune than they to the withering circumstances of their lives. The couple contemplate suicide, then conceive a plan that will enable them to escape a different way. And that's where the novel breaks off. Did Zweig intend to end it there? He might have. The narrative terminates at the conclusion of a scene, and on a thematically significant word. But it would have taken an even greater departure from his normal practice than any other the novel exhibits for Zweig to have suspended the story on such a radically Modernist note of openness, before even a climax, let alone a resolution. Zweig's own death involved a suicide pact—he was found lying hand-in-hand with his second wife—and perhaps he simply never succeeded in imagining what a different ending could have looked like. On the other hand, by 1942, Christine and Ferdinand's future would have been all too clear. The rage, the feelings of betrayal, the sense of wasted talent: the Great War's toxic human residue, expressed so starkly in Ferdinand's long denunciatory speeches, would fuel the politics of the 1930s. A million Ferdinands, roused by such tirades, would put on shirts of brown or black and dance the death march of Old Europe. ■

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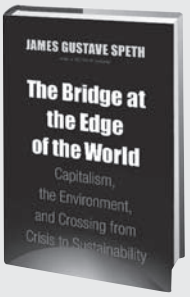
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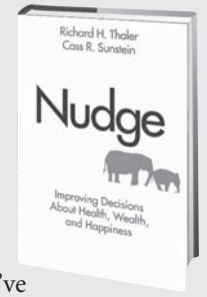

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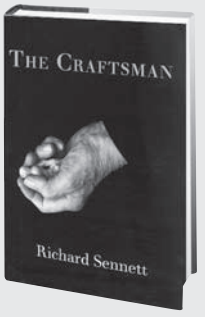

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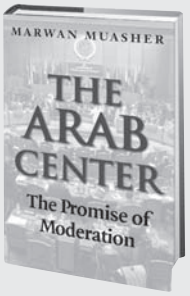

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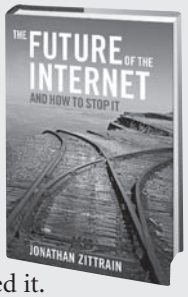

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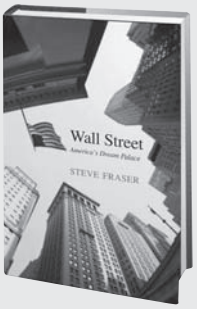

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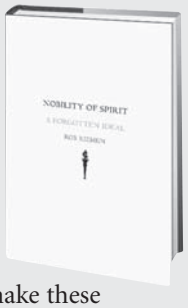

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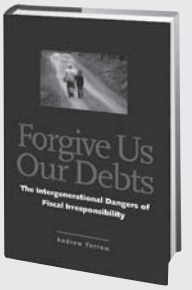

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The Reminder-General

by STEFAN COLLINI

Reappraisals
Reflections on the Forgotten Twentieth Century.
By Tony Judt.
Penguin Press. 432 pp. $29.95.

"*The past has nothing of interest to teach us.*" That, fears Tony Judt, is the presiding assumption of the early twenty-first century. The speed of social and economic change, the exhaustion of the twentieth century's dominant ideologies and a desire to put the horrors of that century's carnage behind us all conspire, he believes, to encourage a culture of forgetting. And this belief frames and justifies his sense of his own role; he appoints himself the Reminder-General in contemporary society (or at least in the United States), a particular version of the historian as public intellectual.

He had already played this role for some years through his contributions to the leading periodicals of cultural and political opinion in the United States and Britain and his direction of the Remarque Institute at New York University, but his standing and authority were vastly enhanced by the publication in 2005 of *Postwar: A History of Europe Since 1945*. This massive volume was acclaimed for its extraordinary synthesis of more than half a century of the history of an entire continent. In it the big questions and the big countries properly receive the greatest share of attention, but the book is in some ways more remarkable for showing us where, say, Norway, Portugal or Bulgaria fits into the larger picture. A work of synthesis on the scale of *Postwar*, in which, inevitably, some ruthless decisions have to be made about selection and emphasis, benefits from being organized around a small number of large themes; a strong controlling argument has its drawbacks, but it helps keep the potentially disruptive heterogeneity in line.

The most successful collections of essays, by contrast, are likely to exhibit other qualities: a sensibility responsive and sympathetic to a plurality of voices may be one such quality; an engaging and persuasive authorial presence may be another. But there is the danger that essays that may have seemed forceful when initially published can come to seem forced when brought into the company of other, unnervingly similar, performances. In *Reappraisals* Judt has collected twenty-four of his review-essays from 1994 to 2006, the great majority of which first appeared in *The New York Review of Books*, so its publication allows us to take stock of his performance in the related role of historian as essayist.

In his introduction, Judt claims that two main themes run through the book: first, "the role of ideas and the responsibility of intellectuals"; and second, "the place of recent history in an age of forgetting." I'm not sure that these are, in practice, the salient themes, but the announcement does fairly represent the insistent, exigent tone of what is to follow—"the role," "the responsibility," "the place." It might be more accurate to say that the dominant concerns of the volume are, first, the primacy of the political when evaluating ideas; second, the defining significance of attitudes toward the Holocaust and communism; third, the value of transatlantic comparisons and contrasts when thinking about the state; and fourth, the distinctive contribution of Jews to understanding modern history.

Some of the best essays in this collection display the same power to identify and analyze the interplay of political power, cultural identity and socioeconomic change that characterized the strongest sections of *Postwar*. Learned and illuminating essays on Belgium and Romania are good examples of Judt's capacity to grasp, frame and narrate. And, as we might expect from someone who began his career as a specialist in French history, there are some good explorations of the distinctiveness of France and its peculiar forms of "backwardness"—France was, "of all the countries of Western Europe, the one which had changed least until very recently." His strengths as a political analyst and polemicist are also on display in several fine essays, including those on American foreign policy and the role of the state in the global economy. (Speaking as an outsider to the debates to which he has contributed, I find his essays here on Israel sympathetic and perceptive, though I well realize that some readers will not share that judgment.) In all these pieces, Judt gives a master class in the role of the historian as public intellectual, informing and educating his readers, getting behind the headlines and stereotypes to pinpoint the real forces working to determine policies and shape societies.

JOHN R. RIFKIN
Tony Judt

But there are deeper continuities with his previous work. *Postwar* ends with an epilogue titled "From the House of the Dead: An Essay on Modern European Memory." In it, Judt's concerns about public forgetting take a highly specific form. What needs to be properly remembered, he insists, is the Holocaust. "Holocaust recognition is our contemporary European entry ticket," and not just to the European Union. "The recovered memory of Europe's dead Jews has become the very definition and guarantee of the continent's restored humanity." This is a highly eccentric construal of European identity, one that is perhaps rather belied by the more complex history of social, economic and political change recounted in the book's previous 800 pages. But in Judt's eyes, this topic, above all, confirms the public role of the historian. He quotes Columbia University historian Yosef Yerushalmi on how mere "memory" is inadequate to the task of maintaining a proper grasp on the enormity of the Holocaust: "Only the historian, with the austere passion for fact, proof, evidence, which are central to his vocation, can effectively stand guard." And Judt concludes, "If Europe's past is to continue to furnish Europe's present with admonitory meaning and moral purpose—then it will have to be *taught* afresh with each passing generation."

One response to this passionate credo is to feel not just that it may exaggerate the present place of the Holocaust in European societies but that it risks turning history into too narrowly didactic an exercise, as though the main purpose of an interest in the past were to provide us with "admonitory meaning and moral purpose." This may be a danger in the role of "historian as public

Stefan Collini's Common Reading: Critics, Historians, Publics *has just been published by Oxford. He is professor of intellectual history and English literature at Cambridge University.*

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intellectual" more generally. The pressure of public debate demands clear messages, "lessons" from the past, whereas that "austere passion for fact" will usually tend toward the recognition of complexity and often the absence of anything that might qualify as a "lesson." The temper of historical analysis necessarily leans toward the skeptical; its effects tend to be corrosive of all pieties, and those may on occasion include the admirable civic values Judt and other public moralists would have it validate.

Judt's ready embrace of that public role means that there is no shortage in these essays of lessons for the present, often trenchantly stated. A particularly powerful example is provided by the theme of the function of the state in twenty-first-century societies: "The state, as the history of the last century copiously illustrates, does some things rather well and other things quite badly. There are some things the private sector, or the market, can do better and many things they cannot do at all." This line of reasoning leads him to conclude in the final essay, "The Social Question Redivivus," that "only a state can provide the services and conditions through which its citizens may aspire to lead a good or fulfilling life." He then spells out what a social-democratic ideal revised in the light of a realistic appraisal of the weaknesses and strengths of global capitalism could look like:

> For some years to come, the chief burden on the government of any well-run national community will be ensuring that those of its members who are the victims of economic transformations over which the government itself can exercise only limited control nevertheless live decent lives, even (especially) if such a life no longer contains the expectation of steady, remunerative, and productive employment; that the rest of the community is led to an appreciation of its duty to share that burden; and that the economic growth required to sustain this responsibility is not inhibited by the ends to which it is applied. This is a job for the state; and *that* is hard to accept because the desirability of placing the maximum possible restrictions upon the interventionary capacities of the state has become the cant of our time.

This is, clearly, a minimalist prescription. In most European countries it would be widely assumed, including by many regarded as being on the right, that the state ought to be playing a broader and more constructive role than this, helping to shape the framework within which social and economic activity is carried on, not confining itself to providing a safety net for the losers in the great scramble. Judt goes on to argue that the "task of the Left in Europe" is to "reconstruct a case for the activist state." But in an American context, simply to spell out this minimalist case in such measured terms as the inescapable conclusion to be drawn from an intelligent analysis of recent history may be to perform an important service as a public intellectual.

There's no shortage of lessons for the present in Judt's essays, often trenchantly stated.

The topic on which Judt's reading of the lessons of history has generated the most controversy in recent years is, of course, Israel. That topic occupies a relatively minor place in this collection, but the same outspokenness and trenchancy are in evidence when he does touch upon it. For example, in the course of an admirable essay written in 2004 as an introduction to a posthumous collection of Edward Said's writings on the Middle East [which appeared in the July 19, 2004, issue of *The Nation*], he declares, "After thirty-seven years of military occupation, Israel has gained nothing in security; it has lost everything in domestic civility and international respectability; and it has forfeited the moral high ground forever." Even those who broadly share this view may wince at the sweepingness of "nothing," "everything" and "forever," but we should recognize that in the contemporary United States it takes courage to express this view in such downright terms. Judt has already been vilified for his position on Israel; indeed, he has been subjected to a quite shameful level of denunciation, something that makes his steadiness under fire in these essays all the more admirable.

In some of the other pieces he writes more in the vein of the prosecuting attorney, relentlessly forensic. Here, his touchstone tests of giving rightful pre-eminence to the Holocaust in modern European history and of being properly vehement in one's condemnation of communism start to grate in the way over-ground axes always do. (It may be relevant here to note that Judt, who was born and spent the first thirty-five years of his life in Britain, describes his provenance in these terms: "Coming from that branch of East European Jewry that had embraced social democracy and the Bund [the Jewish Labor organization of early-twentieth-century Russia and Poland], my own family was viscerally anti-Communist.") Several of the essays in this style are about individual intellectuals, and although Judt has written extensively about French intellectuals in the past, I have to say that the topic does not seem to me to play to his strengths. This is partly because he focuses so narrowly on the *political* bearing of their ideas, a focus that in practice often tends to reduce to whether they were (culpably) sympathetic or (properly) hostile to communism. As political critiques, they are always forceful and usually intelligent, but as intellectual portraits they sometimes feel rather thin and monochromatic.

Consider his discussion of the figure often now acclaimed as "the world's most famous historian," Eric Hobsbawm. Though at points Judt praises Hobsbawm's gifts, he generalizes a damning indictment from the fact that Hobsbawm, mainly out of loyalty to his old comrades and their shared ideals, never resigned his membership of the Communist Party of Great Britain. This allows Judt to conclude that Hobsbawm "has somehow slept through the terror and shame of the age." Even the briefest glance at *The Age of Extremes*, Hobsbawm's celebrated history of the "short twentieth century," let alone his many other writings on modern history, is sufficient to demonstrate the absurdity of this judgment (condemnation of the "brutal and dictatorial" Soviet system and the "murderous absurdity" of Stalin's policies pepper Hobsbawm's pages). But its substantive and stylistic exaggeration is not an isolated instance. Moving to his peroration, Judt thunders, "The values and institutions that have mattered to the Left—from equality before the law to the provision of public services as a matter of right…owed nothing to Communism. Seventy years of 'real existing Socialism' contributed nothing to the sum of human welfare. Nothing." The table-thumping repetition here seems eerily reminiscent of the commissar at the party meeting, yet to whom are these rhetorical excesses addressed in Judt's case? Perhaps to those left-deviationists who, reprehensibly, don't think that a vehement display of anticommunism is the overriding indication of historical intelligence?

This note becomes disturbingly insistent in Judt's remarks, in the course of a very positive assessment of Polish philosopher Leszek Kolakowski, about another British historian, E.P. Thompson. In 1973 Thompson addressed an "Open Letter" to Kolakowski,

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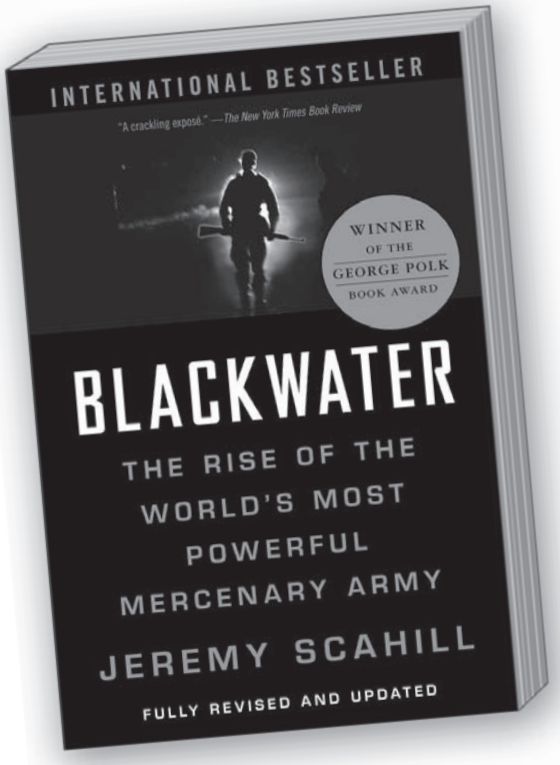
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expressing dismay at the latter's repudiation, since his arrival in the West, of the kind of independent Marxist thinking he had bravely upheld as a dissident voice within Poland in the 1950s and '60s. The "Open Letter," writes Judt, slipping into adjectival overdrive,

> was Thompson at his priggish, Little-Englander worst…patronizing, and sanctimonious. In a pompous, demagogic tone, with more than half an eye to his worshipful progressive audience, Thompson shook his rhetorical finger at the exiled Kolakowski.… How dare you, Thompson suggested from the safety of his leafy perch in middle England, betray us by letting your inconvenient experiences in Communist Poland obstruct the view of our common Marxist ideal?

From the outset, Judt's labored sarcasms start to backfire: even someone who had not previously heard of, let alone read, Thompson's letter, begins to sense from the overkill of "worshipful," "leafy" and "inconvenient" that Thompson is facing a firing squad rather than a critical appraisal. Judt goes on to pronounce that Kolakowski's reply "may be the most perfectly executed intellectual demolition in the history of political argument: No one who reads it will ever take E.P. Thompson seriously again." The history of political argument is a long one, which can boast some celebrated intellectual demolitions: why would anyone claim they were *all* outranked by Kolakowski's response, a document that, to be sure, makes some telling local points but that on the whole talks past Thompson as well as down to him, in a heavy-handed display of misplaced condescension? And "no one" who reads it will "ever" take Thompson "seriously" again? This is stump oratory, not one distinguished historian's appraisal of the achievements of a surely no less distinguished colleague.

Even in cases where Judt's criticisms seem broadly right, there is often a betraying exaggeration in his swelling address to the jury. For example, in writing about the French Marxist philosopher Louis Althusser, who enjoyed great esteem among many on the theoretically inclined left in the 1960s and '70s, he jabs his finger in the juror's chest: "What does it say about modern academic life that such a figure can have trapped teachers and students for so long in the cage of his insane fictions, and traps them still?" I find Althusser's theories no more compelling than Judt does, but "trapped," "cage," "insane"? And can the current interest on the part of a tiny minority of university teachers in what is by any measure a complex and highly abstract body of thinking really be read as damningly symptomatic of something as extensive as "modern academic life"?

Critics usually write more winningly about authors they admire than about those they abhor, but even with these figures Judt can sometimes intrude with a political judgment too soon and too insistently. The lead essay in the collection is titled "Arthur Koestler, the Exemplary Intellectual." This was originally published as a review of a biography of Koestler, and Judt scores several good points against the parochial and anachronistic judgments made by the biographer about, for example, Koestler's voracious sexuality and his ambivalent attitude toward Zionism. But as the essay goes on, one increasingly wonders how anyone could now think of Koestler as "the exemplary intellectual." Judt fairly acknowledges that many of Koestler's books "were panned by specialists for their idiosyncratic speculation, their searching for coherence and meaning in every little coincidence and detail, their abuse of analogy, and the overconfident intrusion of their author into matters of which he was comparatively ignorant."

On what grounds, then, could we regard such a figure as an "exemplary" intellectual? Principally, it seems, on the strength of his having written *Darkness at Noon*, which is "widely credited with having made a singular and unequalled contribution to exploding the Soviet myth." Even Judt recognizes some of the weaknesses of that book, and he acknowledges that it "seems curiously dated today." But the failings of this and Koestler's other writings on the same theme are, somehow, part of what makes him "the exemplary intellectual." "His obsession with the fight against Communism (like all his other obsessions) brooked no compromise and seemed to lack all proportion.… This made Koestler an uncomfortable presence, someone who brought disruption and conflict in his train. But that is what intellectuals are for." Is that really true? Like most one-liners about what intellectuals are "for," it has a certain snappy charm, but if we are being serious rather than merely provocative or epigrammatic, do we really want intellectuals, any more than any other category of our fellow citizens, to "lack all proportion" and bring "disruption and conflict in [their] train"?

Judt's (qualified) endorsement of Hannah Arendt displays some of the same preoccupations. He again notes that other critics have found her to be "inaccurate in argument and to make a parade of learned allusion without any detailed enquiry into texts." But he endorses her nonetheless because, in his view, "she got the big things right," namely her insistence that genocide was the "basis" of Nazism and that "the Stalinist era was not a perversion of the logic of Historical Progress but its very acme." And in his discussion of Arendt, the themes of not forgetting and of being Jewish come together in a revealing way. Although she was a wholly assimilated product of the German culture of *Bildung* and *Wissenschaft*, Judt takes the fact of her having been born in Königsberg to indicate her kinship with the members of the "lost cosmopolitan communities" of Europe, intellectuals who hailed from "vulnerable cities [that were] at once central and peripheral—Vilna, Trieste, Danzig, Alexandria, Algiers, even Dublin."

And so, he argues, Arendt, like other cosmopolitan "survivors," felt a special obligation to combat the tendency to forgetting. "In Arendt's case the responsibility, as she felt it, was made heavier by a conscientious, and perhaps distinctively Jewish, refusal to condemn modernity completely or to pass a curse upon the Enlightenment and all its works." I am not quite sure I understand what he is saying in this sentence, but on the face of things it is hard to see anything "distinctively Jewish" about "refusing to condemn modernity completely or to pass a curse upon the Enlightenment and all its works."

We may get some clarification of Judt's thinking here from the conclusion of his essay on the Central European polyglot writer Manès Sperber, whom he describes as by origin "a shtetl Jew from Galicia":

> The extermination of the past—by design, by neglect, by good intention—is what characterizes the history of our time. That is why the ahistorical memory of a marginal community that found itself in the whirlwind may yet be the best guide to our era. You don't have to be Jewish to understand the history of Europe in the twentieth century, but it helps.

That closing *mot* is lightly turned, but it may speak volumes not just about Judt's preoccupation with Jewishness but about his particular construal of the advantages of "marginality." The implication is that homelessness, exile and displacement sensitize one's social and cultural antennae; perhaps the best cultural analysts (and maybe the best historians?) are those who have moved on from their country of origin or who belong to a group who never felt at home there in the first place. It's a fashionable assumption, but there's no good reason to think it's true. Displacement and grievance narrow as well as enlarge horizons, and even being a European Jew in New York may bring with it parochialisms of its own.

Judt's essays become more important

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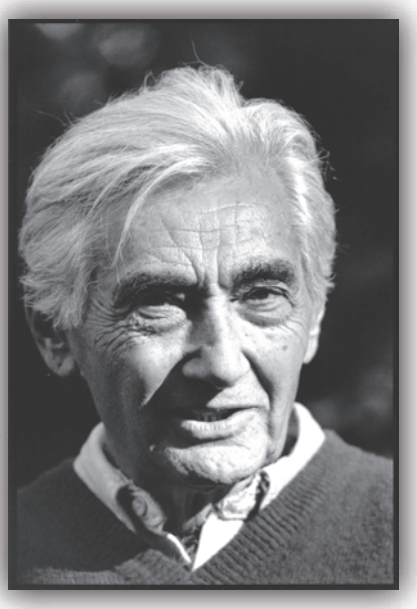

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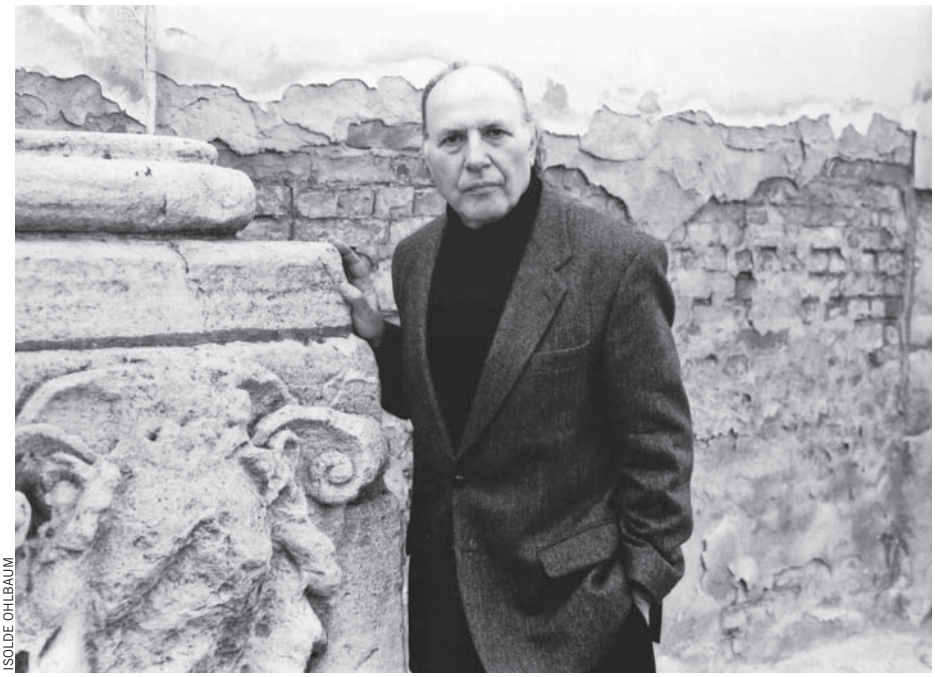
and more troubling for being brought together in one volume. The publication of *Reappraisals* certainly confirms, were any confirmation still needed, his standing as a significant figure in the public intellectual life of the contemporary United States. I salute the range, the command and the courage displayed in his writing. But spending a prolonged spell in his literary company also leaves me feeling a bit uncomfortable. I feel that I would be forced into banging the table in my turn if I wanted to enter the conversations whose terms he partly sets. We need historians to play the role that Judt so ably does, but perhaps we need them also to be a bit less at ease with that role. The best works of history rarely yield unambiguous support to any political cause or affiliation, and we look to the vocabulary, register and cadence of good historical writing to communicate that chastened sense of complexity that otherwise can struggle to get itself heard in public debate. That's not everything, of course. But it's not "nothing," either. ■



ISOLDE OHLBAUM

Imre Kertész

Searching for Traces

by RUTH SCURR

Imre Kertész won the Nobel Prize in Literature in 2002. Two years later, his first novel, drawn from his teenage experience of Auschwitz and several other concentration camps, was retranslated by Tim Wilkinson and published under the title *Fatelessness*. (Previously, the title in translation was *Fateless*; the title of the original Hungarian novel, published in 1975, is *Sorstalanság*.) The meaning of "fatelessness" is hard to hear because the antithesis of "fate" is a difficult idea to grasp, but it is one of fundamental importance in Kertész's work. He is a writer deeply literate in philosophy. After returning to Budapest when the camps were liberated, he stayed on under communism, translating Freud, Nietzsche and Wittgenstein, among others, to support himself as a strictly private writer: "Can one imagine greater freedom than that enjoyed by a writer in a relatively limited, rather tired, even decadent dictatorship?" Kertész asked in his Nobel acceptance speech. He also spoke of Sartre devoting "an entire little book to the question: For whom do we write?" and then thanked his lucky stars that he never had to deal with that question.

The Pathseeker
Searching for Traces.
By Imre Kertész.
Translated by Tim Wilkinson.
Melville House. 129 pp. Paper $13.

Detective Story
By Imre Kertész.
Translated by Tim Wilkinson.
Knopf. 112 pp. $21.

The achievement of such a radically independent and philosophically sophisticated writer must be appreciated through direct engagement with his texts (or excellent translations of them). There is no simple answer to the question: what is fatelessness? There is the novel of that name, which requires, deserves and rewards attentive reading, as well as other explanations throughout Kertész's work: this is a concept to which he returns again and again. He brings to his writing the strengths of a philosopher, a political commentator and a Holocaust survivor. But above all, he is a creative artist: "I did not begin writing for a specific reason, and what I wrote was not addressed to anyone," he said in his Nobel speech. "If I had an aim at all, it was to be faithful, in language and form, to the subject at hand." It happens to be the case that in stories of a form so condensed, the subjects at hand are gargantuan: fascism and communism.

This year Tim Wilkinson has produced translations of the two short novels Kertész published in a single volume in 1977: *The Pathseeker* and *Detective Story*. Taken together, these translations are a wonderful opportunity to deepen our understanding of Kertész. While neither book is explicitly about the Holocaust, both assert the autonomy of fiction in its shadow.

The Pathseeker has an unspecified, seemingly European setting. An unnamed visitor, traveling with his reluctant wife, seeks help from "a man with a complicated family name, Herman by Christian name," in returning after many years to the scene of an unmentioned crime or incident. "On what else would our constant anguish feed if we did not all feel we had a small part in universal evil?" the guest asks Herman genially. Meanwhile their wives are "trying out shoes on each other's feet, totally absorbed in this female whimsy," and Herman's young son is sleeping peacefully in another room. The conversation between the men is a form of shadowboxing: polite, stylized and fraught with unspoken hostility. It culminates in Herman offering to escort the guest on the first part of his journey the following day, while the guest counters by accepting the offer only as a favor to Herman. Kertész constructs a brilliant, darkly comic examination of passive aggression. The guest's wife is dismayed to learn of the plans her husband and Her-

Ruth Scurr teaches history and politics at Cambridge University. She is the author of Fatal Purity: Robespierre and the French Revolution.

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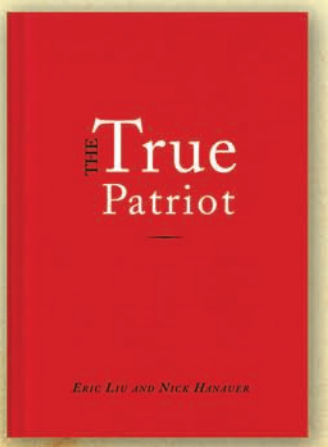

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man have made: she wants only to go to the seaside.

The next morning, delayed by his child's illness but then turning up anyway with his son cheerful in the back of the car, Herman drives the commissioner and his wife from their hotel to the town where the investigation of the unmentioned crime can begin. The shift in noun, from "guest" to "commissioner," carries undisclosed weight, conjuring connotations of a police detective. Herman drives "as fast as the town traffic would permit, leaving no time, no anchorage for eyes that were searching for clues—a woeful circumstance" about which the commissioner can do nothing lest he "betray himself and totally surrender." Despairing of seeing anything, he closes his eyes for a short rest, opens them again despondently and gazes absent-mindedly at the uppermost story of the houses as the car travels on: "now, purely by the aid of a prevailing impression of the angle of incident light and a color—a color that they had forgotten or been unable to change—he had, all at once, achieved his purpose. What color would that be? It radiated uniformly from every building; it was so immediate, so solid and so obvious that the commissioner almost had to think hard to remember what it was called: yellow." In the presence of the yellow light, the town's baroque pomp disintegrates, and the commissioner feels confident that the investigation has started well.

The reader, like the commissioner, must look for clues; "a color that they had forgotten or been unable to change" is an important one. Kertész wrote *The Pathseeker* soon after the publication of *Fatelessness*. His friend György Spiró remembers him working on the text when they met in February 1976 at the state-run writers' retreat in Szigliget. Spiró also remembers the reception of *Fatelessness*, which he had read with awed admiration: "I waited for the critics' responses to appear. One very nice, laudatory review made it into print, along with two other well-disposed little pats on the back. Nothing else." At that time in Communist Hungary, there was little enthusiasm for revisiting the camps. *The Pathseeker* refracts that reluctance in fictional form: Herman's edginess and evasion give way to vehemence when the commissioner remarks, "As ever, your alibi is perfect, Herman." "You are not human. No, not human," comes the angry response. "In a certain respect you are undoubtedly right, Herman," the commissioner coldly acknowledges, before civility returns. These two have shared experiences that cannot be spoken of, and yet the commissioner insists on searching for traces.

There was little enthusiasm for revisiting the camps in Communist Hungary. Kertész refracts that reluctance in fictional form.

The color yellow, for obvious reasons, is prominent at the beginning of *Fatelessness*. The 14-year-old protagonist, Gyuri Köves, goes with his parents to a sports shop, which has lately sold its own make of yellow stars despite the general shortage of yellow fabric:

> As best I could make out, it was their innovative twist to have the material stretched over some cardboard base, so that way, of course, it looked more attractive, plus the arms of the stars weren't cut in such a ludicrously clumsy fashion as some of the homemade ones that were to be seen. I noticed that they themselves had their own wares adorning their chests, but in such a way as to seem that they were only wearing them in order to make them appeal to customers.

Köves is sent to work in a factory outside the municipal boundary. He travels there by bus. One day there is a policeman in the middle of the road, just beyond the boundary, stopping buses and ordering those with yellow stars to get off. This is how Köves, like Kertész, ended up in Auschwitz. When *Fatelessness* was written, in the 1960s, the documentary evidence that explains this seemingly random day of bus-stopping was hidden away. More recently, the political context has been recovered: this was the attempt to accelerate the Holocaust at the end of June 1944, during which the Hungarian gendarmerie (who controlled the countryside) attempted to overrule the regent of Hungary, Adm. M. Horthy, who had forbidden the deportation of Jews from Budapest, for prudential rather than moral reasons. Even without access to these facts, Kertész wrote a historically precise novel: if Köves had not crossed the municipal border on that day in June, he would not have been taken to Auschwitz. It was being on the bus that made the difference.

"Where does the bus leave from?" the commissioner asks in *The Pathseeker*, rudely interrupting a conversation between his wife and Herman. When they reach the bus station, he begins to panic and doubt himself: "Expectation builds on monotony, the risk was of going to pieces. Would it be possible to hold out on two sticky leatherette seats that had been warmed up by the sun blazing through the closed window?" Before the bus has even started, there is a disturbing episode where a woman with ducklings in a basket on her knee wrings the neck of one that is particularly persistent in poking its head out for air. "So this is the only way, then? Are we not human beings?" the commissioner's wife asks. But he immediately dismisses the significance of her question: "Yes, of course. Still, we do eat ducks, after all." They are the only people who get off at a deserted stop.

The commissioner sets off alone to find a factory. He discovers tourists there, but not only. There are also "unknown acquaintances who were just as much haunted by a compulsion to revisit in the way that we always yearn to see tormenting dreams again, perhaps in the secret hope that a time will even come when we understand them." He is tempted to join them, to try to reassure himself that he is not alone, but that would mean relinquishing his assignment. Instead, he hurries back to the bus and his waiting wife. Back in the town they dine in a restaurant Herman has recommended. Here, once again, the commissioner is tempted to abandon his solitary work, "to redeem this truncated day" with shared delectation of ordinary life. But while his wife is in the bathroom freshening up, he is approached by a veiled woman who says slowly, leaving a pause between each and every word, "My father, my younger brother, my fiancé." He tells her he is there to redress the injustice. She asks how, and with what. "The commissioner all at once found the words he wanted, as if he could see them written down: 'So that I should bear witness to everything I have seen.'" *The Pathseeker* can be read as a commentary on, or companion piece to, *Fatelessness*. But the commissioner is not Kertész the self-examining writer reflecting on the creation of *Fatelessness*, any more than Köves is Kertész the 14-year-old taken to Auschwitz. To elide those gaps is to deny the novel's freedom and form; subjects that fascinate all novelists to a certain extent, but Kertész more profoundly than most.

In his Nobel speech, Kertész recalled how "I once said that so-called socialism for me was the petite madeleine cake that, dipped into Proust's tea, evoked in him the flavor of bygone years.

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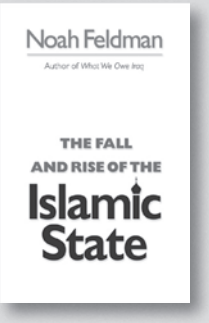
For reasons having to do with the language I spoke, I decided, after the suppression of the 1956 revolt, to remain in Hungary. Thus I was able to observe, not as a child this time but as an adult, how a dictatorship functions." In *Detective Story*, Kertész explores the sickening logic of dictatorship from the perspective of a secret policeman. Antonio Martens is in prison awaiting trial after the collapse of the oppressive regime he served somewhere far from Europe. He reflects, coolly, on his involvement in the "Salinas case: Federigo and Enrique Salinas, father and son, proprietors of the chain of department stores that are dotted all over our country."

In another fictional universe, perhaps this is the same family that owns the sports store in *Fatelessness*. The Holocaust is in the past, but it is ever-present. Martens remembers a colleague, Rodriguez, reading a book with "Auschwitz" in the title: "I'd heard something about it, of course: it had been a long time ago and also a long way away, somewhere in that scummy Europe, in its eastern half. The hell if I could make out what it had to do with us, and how it entered into things." Inspired by the book he has read, Rodriguez commissions a statuette of a "Boger swing" for his desk, then a life-size model for his "operating theater." It is simply a horizontal rod, suspended between two vertical forks, around which it is possible to loop a human body by bending it backward and handcuffing wrists to ankles. "He flicked the diminutive doll on the head with an index finger. It spun a few times, then the momentum died down, and it just swung on the rod, head down. You could see the thighs and the crudely carved buttocks, not omitting what lies in between. To Rodriguez's credit, it should be made clear that it was a male doll."

From book, to statuette, to torture chamber: this is the infernal sequence that *Detective Story* exposes. Kertész is scrupulously economical. The reader is never taken into the "operating theater"; emotive details are used extremely sparingly; it is the underlying logic of wrongdoing that preoccupies Kertész. "Our line of work is hazardous," Martens reflects. "Once you get started, the only way back is to carry on straight ahead." His first-person narrative attempts to reconstruct the series of events that lead inevitably to the destruction of the Salinases. To do this he draws on the son's diary. Enrique is wryly amused that his captors have allowed him to keep the diary with him in his cell: "I have it really soft in here, I can't complain. There's no two ways about it: with us, requests like that were unlikely to have been honored, as the wiseguys who make the rules are in the habit of phrasing it."

The diary reveals Enrique to have been little more than a child, thirsty for "life, action, friendship, and love." Among other things, it recounts a romance blighted by politics. One day, Enrique takes his fiancée, Jill, on a trip to the coast to join a group of student friends on the beach. Driving her home in his Alpha Romeo, he slows below the minimum speed limit on the road that passes a state building "equipped with all the necessary paraphernalia: fences, electronics, watchtowers, and whatnot." The car is stopped. Enrique is interrogated and dismissed with a mild warning: "You'd do better hitting your study books than bumming along the highway!" Hardly a traumatic encounter, but enough to end the romance; and enough to ensure that months later, when the secret police are looking for someone in particular to call in from their many photographs of students, they pick on him. "From that moment on Enrique Salinas did not take a step without our knowing about it."

> "So be a good boy, open your mouth. Or are we going to have to open it for you?!"
>
> "Who's your go-between?"



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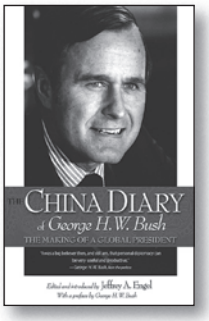

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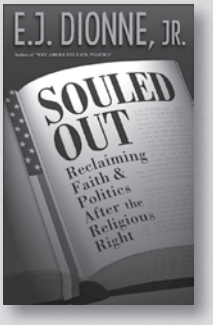

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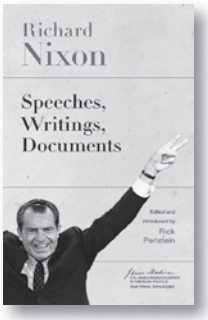

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"Where's the envelope?"

"Where's your weapons dump?"

"When are you planning for the atrocity to happen?"

"Which group do you belong to? Spit it out!"

"You've no choice anyway. Let yourself go, be sensible!"

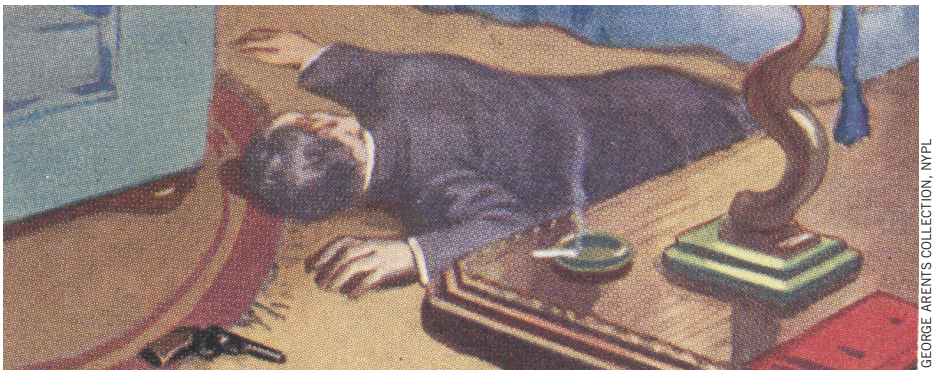
"Be sensible, then you'll soon be rid of us."

"Your accomplices have hung you out to dry. Do you want to carry the can alone? In their place?"

"Not talking, then?"

These questions fired at Enrique are disconcerting: a reader can easily imagine them being fired at detainees in any number of historical or contemporary contexts. *Detective Story* is a superb exploration of the banality of evil, one that recalls and resonates with Hannah Arendt's. What antidote is there to the cynicism of someone like Antonio Martens? Kertész has his character reflect on the logic of what was done to the Salinases: "That logic was not without its flaws. Who said it was? It was initially more just an idea; only later did it become logical."

In explaining something of the weight and importance of Kertész's subjects and creative achievements, it is hard to convey simultaneously the deftness and vivacity of his writing: his sheer joy in making something new with words. Tim Wilkinson must be deeply responsive to Kertész's delight in language to convey it so pervasively in his translations. There is something quintessentially youthful and life-affirming in this writer's sensibility—like Gyuri Köves, arriving in Auschwitz and noticing a football pitch: "Green turf, the requisite white goalposts, the chalked lines of the field of play—it was all there, inviting, fresh, pristine, in perfect order. This was latched onto straightaway by the boys as well: Look here! A place for us to play soccer after work." Kertész explains that for a long time he thought he must have been mistaken in remembering the football pitch because he never found another reference to it in his extensive research on the Holocaust. Eventually, he found corroboration in one of Tadeusz Borowski's short stories, translated into Hungarian in 1972 in a volume called *Kövilág* (The World of Stone). Yet fiction is not just a repository for the small details that other kinds of narrative leave aside. It also preserves the life-affirming hope that, even in Auschwitz, flushed the heart of one boy with joy. ■



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"Scene of the Crime," cigarette card, circa 1935-38

In the Lost Realm of the Real

by CARL BROMLEY

For Aurelio Zen, the urbane detective creation of the English writer Michael Dibdin, a few fateful weeks in Rome in 1978 changed everything. At the time Zen was on a career fast track. He had a top post in the kidnapping section of the Rome Questura (police headquarters) with the prospect of further promotion to *vice-questore* (deputy chief), perhaps even to *questore*. But then a combination of factors—his curiosity and sense of justice and a glimpse of the "secret center" of the Italian state—destroyed it all.

When the Red Brigades kidnap former Italian prime minister and Christian Democratic Party kingpin Aldo Moro, He is thrown into the investigation under the direction of Rome's Political Branch. Zen is incredulous to find that a department flush with government money "claimed to have no material on the terrorists beyond a few isolated descriptions and photographs." Zen and his colleague are reduced to conducting house-to-house searches, work that takes them to a part of Rome that's too close for the comfort of their superiors. His partner dies mysteriously, and when Zen narrows in on what his partner had discovered, he is intercepted by "the Politicals" for whom he is supposedly working. He is told, with classic bureaucratic terseness, that his "request to be transferred to clerical duties at the Ministry of the Interior had been granted." Zen, of course, put in no such request.

Imagine Aurelio Zen as the Venetian cousin of Ian Rankin's John Rebus or Michael Connelly's Harry Bosch, someone resentful of the "shit for brains who carry the right party card" he has to flatter. Because he is morbidly haunted by the past, Zen is, by habit, a perpetual outsider wherever he ends up; even in his hometown, Venice, he tells a tourist, "I'm a stranger here myself." One can imagine the haunting organ score from Jean-Pierre Melville's *Le Samouraï* accompanying Zen as he drifts across the boot of Italy, his gaze "dull and opaque, like the surface of water where the last traces of some violent shock lingers on."

When we come across Zen in the first of Michael Dibdin's Zen novels, *Ratking* (1988), he is in limbo, a police commissioner attached to the Ministry of the Interior but permanently suspended from investigative duties, "nailed down, stuffed and varnished, with years of dreary routine to go before they would let him retire." His hangover from the *anni di piombo*—the so-called "years of lead," the era of escalating right- and left-wing violence in Italy—hasn't quite passed. He is long separated from his wife (though divorce seems elusive), living with his mother and having an affair with an American divorcée. The nearest he gets to real police work is "smashing the great stolen-toilet-roll racket at the Questura in Campobasso." But in *Ratking*, thanks to his expertise in kidnapping and a boost from a back-room political fix, he is dusted off and temporarily reassigned to investigate the snatching of a well-connected industrialist in Perugia. By the end of the novel Zen has managed to climb his way back into favor: he is promoted to *vice-questore* and reinstated on the active roster of the Polizia Criminale (Criminalpol). Throughout the case, however, he senses that "he was no more than a pawn in whatever sophisticated games were being played." In Zen's second adventure, *Vendetta* (1990), his superiors assign him to investigate a mass murder in Sardinia; in reality, they send him there to solve nothing, only to create the pretense of police interest in the case. What they really want

Carl Bromley is the editorial director of Nation Books.

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is for him to make sure that a leading Christian Democratic player avoids the dragnet.

This pattern repeats itself a number of times in the series. Zen will find himself in a position of assumed authority and influence, only to learn that he's a figurehead who is expected to conform to the wishes of his political bosses in Rome or turn a blind eye to whatever malfeasance has paralyzed the local Questura. Zen is reconciled to this imposture. But as cooperative as he is with his masters, and as keen as he is to work the system, his formidable skills as a gumshoe and his innate sense of justice always land him in trouble. Still, he manages to survive, thanks to his prowess and luck. At the end of *Vendetta*, in a grotesquely emblematic moment, Zen is summoned to the portal of true power in Italy, the Palazzo Sisti, the veritable Mount Olympus of the Christian Democratic Party. There, for services rendered, its chief member of Parliament (modeled undoubtedly on Giulio Andreotti, who enjoyed seven stints as Italy's prime minister) says to him, euphemistically, "If there's ever anything you need…." This, Zen muses, is "better than money in the bank!" At the time—the setting is the late 1980s—the Christian Democrats' power seemed as eternal as the city in which it was quartered. But it was a bargain only as lasting as Christian Democracy's hold on the summit of Italian society, which, as it turned out, was about to disintegrate.

Dibdin's Zen series sounds a melancholy note for an old Italy rife with political enemies.

When Dibdin started writing the Zen series, no one, let alone Dibdin, could have anticipated the seismic convulsions that would upend the Italian state; among the wreckage was the Christian Democratic Party, which dissolved in late 1993. The convulsions were triggered by the nationwide corruption investigations known as *Mani pulite* (Clean hands), which implicated almost all of Italy's political class, including key Christian Democrats and their Socialist allies, but they were enabled too by the end of the cold war. Dibdin, not unlike Zen, seems to have been in the right place at the right time. His Zen series—eleven novels published between 1988 and 2007—covers a period when the politicians running the post–Christian Democratic Italian republic attempted to impose a consensus on Italian society, something the rulers of Italy have struggled and singularly failed to do since 1860, as historian John Foot has observed. Silvio Berlusconi, the head of Forza Italia, home of many former Christian Democrats, is the most vulgar and brash example of this new breed of politician—and there are more where he comes from, on the left and the right. They have attempted, quite successfully in some respects, to wipe from the historical databanks decades of civil war and political violence and to reconstruct Italy into a country like any other: a less politicized realm where a consumer culture rules. In its own way, Dibdin's Zen series sounds a melancholy note for the old Italy that seems to be disappearing before Zen's eyes. Dibdin seems to share a sentiment expressed by Peter Robb in the new postscript to his classic *Midnight in Sicily* (1996). After surveying the kidnappings, car bombings and political bosses that have scarred Italy, past and present, Robb writes, "In the brave new Italy of the two thousands, to look back at the Italy and Sicily of the second half of the twentieth century…arouses a kind of nostalgia…. Beside Silvio Berlusconi…Giulio Andreotti has acquired a patina of antique probity, deeply respectful of the laws of the church and republic, austerely dedicated to party and career, and very, very careful with words."

Zen stalks the new Italy like a phantom, seeking out and bonding with fellow phantoms, people not afflicted by the amnesia that has fallen over Italy. In the extraordinarily eerie *Medusa* (2003), Zen meets one of these fellow phantoms, a burned-out and reclusive leftist journalist who broods on the *misteri d'Italia*, that secret network of events that has tainted Italy's recent history. The journalist says, "I can get by on my pension, more or less, so I've decided to devote my remaining years to writing a book." "What about?" Zen asks.

> "A definitive account, explanation and analysis of all the *misteri d'Italia*."
>
> "A slim volume, then," commented Zen.
>
> "Virtually invisible."

The murders in the book are traced by Zen to a clandestine military organization named Medusa, created in the 1970s as a secret extralegal operation to combat the Italian far left. *Medusa* burrows into the occult history of the period, but it's clear that no one really wants to know about the *misteri d'Italia*. "The truth," Zen's friend tells him, "is that no one cares about all that stuff anymore." Zen comes across a local commune that reeks of "frustration, even despair, as unmistakable as mould." History is now what was on television last night; 1978 might as well be 1878. Even the novel's villain—another of Zen's fellow phantoms—pines for a former political opponent: "He was our sworn enemy thirty years ago, of course, like all the PCI crowd, but times have changed. When I see the shallow consumerist trash running around these days I almost begin to feel nostalgic for enemies like that."

A similar sense of nostalgia might be warranted for Michael Dibdin, who died suddenly last year after a short illness. He was 60. The British press devoted significant space to recapping Dibdin's career. The *Guardian* took the unusual step—for the death of a mystery writer, at least—of lamenting Dibdin's passing in a lead editorial, singling out the Zen series: "There can be little argument that Silvio Berlusconi has been the prime mover in compelling the modern generation of British middle-class visitors to view Italy and Italians in a less romantically indulgent light than many were previously inclined to do. But Aurelio Zen played a very important part too…. The melancholy detective created by the late Michael Dibdin lifted the curtain on a much more sinister Italy than the EM Forster version that had inspired generations of starry-eyed visitors from the north."

Dibdin, by most accounts, lived as peripatetic an existence as his creation Zen. His journeying included a childhood in Ulster; education in Sussex, England, and Alberta, Canada; a stint teaching at the University of Perugia (which must have initiated him into the vagaries of Italian bureaucracy); and then, these last dozen years, a life in Seattle.

I remember seeing him skulking around Oxford in the early 1990s. One evening, in a pub, some friends and I were discussing Dibdin's latest novel, the merciless, wickedly funny *Dirty Tricks*, about sleazy English language–instruction schools in Oxford (Dibdin wrote seven non-Zen crime novels, of which *Dirty Tricks* was the finest). Somehow we all seemed to recognize ourselves in the novel, to the extent that each of us recounted a scene that we insisted Dibdin must have based on us. This fantasizing reached a lurid pitch when one of us claimed to have been the inspiration for a sex scene involving a couch. It was at this moment that I turned to see Dibdin sitting beside us. His face resembled the visage he had given to Zen: "expressionless as the frescoed image

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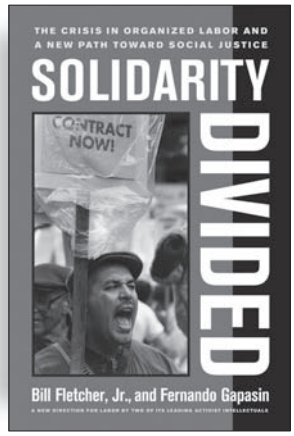
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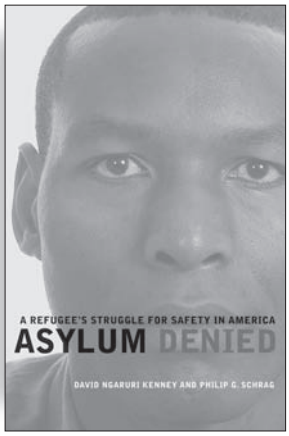

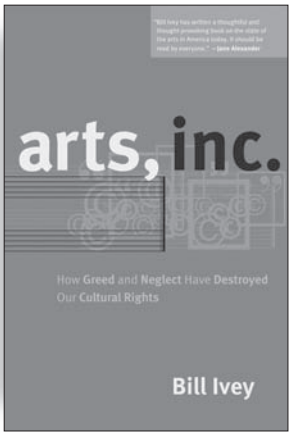

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of some minor saint who was being martyred in some unspeakable way but, thanks to his steadfast faith, remained at peace with himself."

In the United States, the quality of Dibdin's novels has long been celebrated in the ghetto of the crime fiction round-up pages of our newspapers. In a short review in the *Wall Street Journal* of Dibdin's last novel, *End Games* (2007), you can almost hear the reviewer weep for lack of space as he quickly catalogs canonical authors to define Dibdin's prowess: "[Dibdin] evokes not so much the terse action scenes of hardboiled masters as the word-drunk prose of such language-besotted authors as Anthony Burgess, Vladimir Nabokov and Lawrence Durrell.... The next time you hear a snob speak condescendingly of the detective story, tell them to go take a hike—or to read a Dibdin novel."

Dibdin could never have been mistaken for a literary novelist slumming in the genre.

Dibdin could never have been mistaken for a literary novelist slumming in the genre. He was an extremely cultured, extremely serious crime novelist. His novels resembled the "hard novels" of Georges Simenon and the dark, subtle paranoias of Leonardo Sciascia's crime stories, but they also crackle with the fun, puzzles and escapism of Conan Doyle. In *Back to Bologna* (2005) and *Cosi Fan Tutti* (1996), the humor is so riotous and operatic that one almost misses the melancholy beauty and atmosphere of novels like *Dead Lagoon* (1994), whose portrayal of Venice merits comparison with Jan Morris.

End Games is Southern gothic, Italian style. It opens with what appears to be a form of ritualistic murder. A man dressed "like a corpse" visits a church in the local countryside, then visits the ruins of an old stately home, where he seems to bless himself—after which his head is blown off by a remote-controlled device. "Calabria," as one character observes, "can be harsh to her sons." Zen has been temporarily transferred to the region to cover for the police chief of Cosenza, who is recovering from a wound to his foot that he suffered while cleaning his pistol. Zen, of course, is a mere figurehead. His new colleagues tell him that he has no need to concern himself with the day-to-day workings of police headquarters. Zen is happy to oblige them; he is left alone to grumble about the proliferation of tomatoes in the local diet and the volatile local weather.

Zen's grumblings acquire a different flavor when Peter Newman, an American lawyer scouting locations for a film company, is kidnapped. The missing lawyer, it turns out, is actually a Calabrian, the scion of a much-hated feudal family that had ruled the local area as its fief until the end of World War II. When Newman's headless corpse is discovered, Zen, an old hand when it comes to kidnappings, is confounded. Why, he wonders, would a kidnap gang "destroy a potentially very profitable piece of merchandise without even putting it on the market?" Zen's process of discovery involves, in some respect, the recovery of his vocation. It also returns him to the parallel world of Italy's secret state that he first encountered in 1978. But his sleuthing takes him further into the past, to the repressive old southern *latifondo* system of estate farming, the Fascist era and its immediate aftermath. With its legacies of ghastly aristocratic violence, old ruins and a changeling, *End Games* is partly a gothic revenge drama, where memories, certainly in this part of Calabria, can linger like unexploded ordnance. Zen senses that to live in Calabria is to inhabit several eras simultaneously. The trashy world of Italia-lite that seems to have drained Italy of its substance has stopped at Cosenza: "For every ten kilometres you travelled between Rome and Cosenza, you moved back another year into the past, finally arriving in the mid-1950s. Authenticity was not as yet under serious threat here, and in some way that he couldn't have explained, that slewed the ethical equations too. What would have been good enough elsewhere simply wouldn't do here, back in the lost realm of the real."

But in "the lost realm of the real comes violence, clan ritual and death." "Life is an acquired taste, Signor Zen, but death has mass-market appeal," a former spook tells him. Dibdin's rendering of the terrible violence and *tristesse* of the region, the "sense of generalised and ineradicable sadness about the place, despite its natural beauty," is beguiling, the trait that makes his mysteries so distinctive. Dibdin has always been at his most pungent when writing about the Mezzogiorno. In *Blood Rain* (1999), he evoked the bleak interior towns, dead villages and holy terrors of Sicily with a sulfuric intensity that rivals Sciascia's in *The Day of the Owl* and *To Each His Own*. He also captured the sense of generalized apathy and the tragic fate of those who choose action over resignation. While *End Games* never has the same tragic pitch as *Blood Rain*, it reminds you what a fine and rare vintage Dibdin is. *End Games* is marred only by a slightly irritating subplot involving a scam by Peter Newman's former colleagues, which involves looting Cosenza of the mythical treasures of King Alaric. This reads like a cut-and-paste from a Donald Westlake caper like *The Hot Rock* or *Kahawa*.

It's strange to read Dibdin's last novel with a sense of nostalgia, but the realization that we will see neither Dibdin nor Zen again shadows one's expectations of *End Games*. One winces as the novel closes with Zen sitting in one of those soullessly elongated regional train stations that dot Italy, waiting for the train, to return to Rome. One struggles to stifle the sadistic wish that Dibdin had been clairvoyant enough about his own passing to kill off Zen in *End Games*. (In *Blood Rain* he sort of does that, but, as with Conan Doyle's greatest creation, he brings Zen back in *And Then You Die*.) One of the most memorable scenes in the novel is when a sleazy, disbarred lawyer—the fixer who arranged for Newman's kidnapping—reminds Zen that in Calabria life is lived in the subjunctive. Likewise, it is our fate to wonder what might have been and to approach *End Games* in the subjunctive mood.

More than a decade ago, Dibdin edited *The Vintage Book of Classic Crime* (originally published as *The Picador Book of Crime Writing* in Britain), a robust, wide-ranging but eclectic anthology of mostly Anglo-American crime writing. Each section of the book featured a short, erudite essay by Dibdin about an aspect of the genre. These little essays not only explored the varietals; they illuminated Dibdin's experience as a practitioner. Suggestively, he argued that the best crime writing is "eccentric—the product of a creative struggle against the overwhelmingly centripetal force of the genre." He could have been describing his own work, of course: short, terse, sometimes rather compressed novels that rarely ran more than 250 pages. But within these parameters, Dibdin was a playful novelist who gave the impression that he didn't want to get bored or locked down by the genre. His crime stories blended the straightforward and counterintuitive, variations on noir, *giallo*, revenge tragedy, conspiracy thriller—though never, interestingly enough,

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—Romany S.

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—Molly G.

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descending into the abyss of Borgesian paranoia that energized Sciascia's *One Way or Another* and *Equal Danger*. But the peculiar qualities that Dibdin observed about the Swedish husband-and-wife crime-writing team of Maj Sjöwall and Per Wahlööö summarize the brooding beauty of his own work: the duo "transcends the level of the average police procedural thanks to a prevailing sense of unease which in the end seems as much existential as ideological."

The odd thing about *The Vintage Book of Classic Crime* is that only two Italian writers are included, neither of whom is Leonardo Sciascia. Neither is an example of crime fiction either; rather, they are examples of genre criticism by Umberto Eco ("The basic question of philosophy…is the same as that of the detective novel: who is guilty?") and Antonio Gramsci (a few gemlike paragraphs from the *Prison Notebooks* where he favors Chesterton over Conan Doyle for his intuitive rather than rationalist approach to detection). Sciascia is an obvious influence on Dibdin's work—especially *Cabal* (1992), for which Sciascia provides the epigraph—and the absence of him and Carlo Emilio Gadda, author of the classic *That Awful Mess on Via Merulana*, is a paradox. (Some of Sciascia's and Gadda's novels are available in new editions from New York Review Books.) The anthology was published at a time when, according to one observer, Alan Taylor in *Scotland on Sunday*, "it feels as if there are more expatriate thriller writers in Italy than there are Italian ice-cream parlours in Britain. Italians—with the honourable exception of the Sicilian Leonardo Sciascia—generally don't write whodunnits, leaving them to the likes of Magdalen Nabb, Donna Leon and Michael Dibdin."

Coincidentally, since the publication of Dibdin's anthology, a number of Italian crime novelists have come to the fore, thanks in part to a steady trickle of translation from small presses like Bitter Lemon and Europa. In fact, the blurb on an excellent recent anthology, *Crimini*, boasts that Italian crime fiction is enjoying a renaissance, "replacing that of Scandinavia as the fastest growing in the genre." Probably the most palatable to the middlebrow palate are the Sicilian novelist Andrea Camilleri's genial Inspector Montalbano novels, but the most striking offer tough, more cynical fare: writers like Niccolò Ammaniti, Gianrico Carofiglio, Massimo Carlotto and Giuseppe Genna, whose novels (Carlotto's and Genna's, particularly) percolate with a dark, sleazy energy and growl with the lament of a Paolo Conte song and lost political dreams. Genna's *In the Name of Ishmael* is probably the most paranoid conspiracy thriller to see print; its featured psycho killer is a former US Secretary of State familiar to readers of this magazine.

If there's one writer who ratifies Dibdin's dark, ironic but oddly nostalgic vision, it is Carlo Lucarelli. Lucarelli, a well-known TV personality in Italy, hosts a late-night show devoted to unsolved mysteries, whose subjects range from the mysterious death of the Italian industrialist Enrico Mattei to the murder of Pier Paulo Pasolini. Lucarelli came to attention in Italy in 1990 with *Carte Blanche*, the first of a brilliant trilogy of very short novels set in a period stretching from the collapse of Mussolini's Salo Republic, a puppet regime of the Nazis that ruled Northern Italy from 1943 to 1945, to the earlier years of the postwar Italian Republic. They feature Commissario De Luca, a weary detective and former member of Mussolini's political police who, as *Carte Blanche* begins, has transferred back to the ordinary force just as he realizes that the Salo Republic is about to collapse. Wracked by bad conscience and a lack of sleep, he tries to claw back his professional pride as an ordinary homicide detective. Unfortunately, the first homicide he has to investigate involves a victim with strong connections to the Fascist elite. For a novel of such slender size (a mere 120 pages), *Carte Blanche* is a richly atmospheric *policier* that, reeking of the decay and political squalor of the late Mussolini period, recalls Bertolucci's *Il Conformista* and Hammett's *Red Harvest*.

The slightly demented, baroque quality of Lucarelli's novels is reminiscent of Dario Argento.

The nasty atmospherics continue in *The Damned Season*, a claustrophobic and nervy thriller set in the month after Italy's liberation from fascism. De Luca is posing as an engineer in the countryside between Bologna and Rome, fearful that he is on a partisan hit list. After inadvertently divulging his identity, he is blackmailed into heading a homicide investigation—one that finds him ensnared in the rivalries of competing partisan factions. The trilogy's final novel, *Villa Delle Oche*, is set during the days leading up to the contentious first election after the liberation, in April 1948, where De Luca is working for the Bologna vice squad. Still sleepless, he is also guilt-ridden by former associations and has developed a nervous tic of chewing the inside of his cheek while on the trail of a murderer who seems to have dispatched several lowlifes who have Communist sympathies. It is a bitter, ironic novel that closes an era when everything seemed politically possible in Italy, and whose nippy pace is enlivened by the use of hysterical contemporary newspaper headlines and political slogans, including this priceless one: "If the Christian Democrats win all of Italy will be a seminary: No more Charlie Chaplin, Totò, or Rita Hayworth. You'll die of boredom."

There's a slightly demented, baroque quality to Lucarelli's novels reminiscent of Italian horror director Dario Argento. Any writer of Lucarelli's generation cannot approach the crime thriller without wrestling with the achievement of the cinematic master of the Italian *giallo*. The two other novels of Lucarelli's that have been translated into English, *Almost Blue* and *Day After Day*, have a similar staccato-like pulse that bares the imprint of Argento's *Deep Red*. Their protagonist, a sultry young Southerner, Inspector Grazia Negro, is as finely realized a character as Aurelio Zen, a cop who has the dual burden of hunting serial killers and professional killers and combating her boorish male colleagues. Of the two novels, *Almost Blue* is the superior, a sublime, sinewy work that is icy, elegant and swathed in darkness. It is dominated by two obsessive narrators: one, a serial killer filled with self-loathing; the other, a blind recluse named Simone who spends insomniac nights listening to the police radio and following the movement of Inspector Negro. Simone can never see Bologna, but his imagined city—woven from the lonely nights listening to police radio—sparkles like a magic lantern. His voice is eerie, elegiac and mostly what makes *Almost Blue* such a memorable novel. Colors have a different meaning for him. "For me, a pretty girl might have blonde hair, but a truly beautiful girl would be *b*arefoot, *b*rave and have *blue* hair."

It's as if Negro, De Luca and Zen are neighbors whose homes are haunted by the same ghosts—phantoms that Lucarelli and Dibdin want to bring back to life. It's a lonely and bitter task, especially in light of what Geoff Andrews has called "Italy's hour of darkness": Berlusconi's "third coming" and the radical left's liquidation in Italy's recent elections. "If we want things to stay as they are, things will have to change," Tancredi tells his uncle in Lampedusa's *The Leopard*. Dibdin's and Lucarelli's stories about the *misteri d'Italia* are poignant and distressing confirmations of those dark words. ■

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Sergio Vieira de Mello at the Sheraton Hotel in Baghdad

The Power Conundrum

by MICHAEL MASSING

Six years ago, Samantha Power burst onto the scene with "*A Problem From Hell*", her urgent and impassioned indictment of American inaction in the face of genocide. With the thoroughness and relentlessness of a prosecutor, Power documented how US officials sat idly by as Armenians were slaughtered in Turkey, Cambodians were massacred by the Khmer Rouge, Kurds were gassed by Saddam Hussein and Bosnian Muslims were murdered by Bosnian Serbs. She extolled the work of such courageous crusaders as Raphael Lemkin, a Polish Jewish immigrant who coined the term "genocide" in 1944 and lobbied diligently for the passage of the UN's Genocide Convention, which was approved by the General Assembly in 1948 and ratified by the United States forty years later. Lamenting the fact that "no U.S. president has ever made genocide prevention a priority," Power assailed US officials for responding to "unspeakable atrocities" by trusting in negotiation, clinging to diplomatic niceties and shipping injured parties humanitarian aid. The United States, she maintained, should subject perpetrators to a harsher array of measures—threatening them with prosecution, shutting their embassies in Washington, imposing economic sanctions. Genocide poses such a serious threat to American values and interests, Power argued, that the United States should be prepared "to risk the lives of its soldiers" in order to stop it, even if this means acting unilaterally outside the framework of the United Nations.

Chasing the Flame
Sergio Vieira de Mello and the Fight to Save the World.
By Samantha Power.
Penguin Press. 622 pp. $32.95.

The winner of the Pulitzer Prize for nonfiction in 2003, "*A Problem From Hell*" propelled Power from the tilling fields of freelance journalism and adjunct professorship into the empyrean realm of public intellectualdom. She was named to *Time* magazine's list of the world's top 100 scientists and thinkers. She became a columnist for that magazine and a regular contributor to *The New Yorker*. At Harvard's Kennedy School of Government, where she had already served as the founding executive director of the Carr Center for Human Rights Policy, she was named the Anna Lindh Professor of the Practice of Global Leadership. In 2005, after receiving a call from Senator Barack Obama, who had read her book, Power became one of his foreign policy advisers, a position she held until March, when her description of Hillary Clinton as "a monster" set off a political firestorm. Despite that misstep, if Obama is elected President, Power seems likely to join his administration in some senior capacity.

Yet, in the harsh glare of recent events, "*A Problem From Hell*" seems less persuasive than when it came out. Appearing as the Bush Administration was pressing its case for attacking Iraq, the book, with its advocacy of humanitarian military intervention and its description of Saddam's regime as genocidal in nature, fed support for the war in some liberal circles. Now, with more than 140,000 US troops bogged down in that country, and with hundreds of thousands of Iraqis dead and millions more displaced in the largest episode of forced migration in the Middle East since the 1948 Arab-Israeli war, the idea of relying on unilateral American military power to achieve humanitarian ends seems largely discredited.

In her new book, Power offers something of a response. Not explicitly. Nowhere in *Chasing the Flame* does she refer to the position she so ardently set out in "*A Problem From Hell*". Yet in her new book she clearly seems to be trying to adapt her global vision to the realities of the post-Iraq world. Her vehicle this time is Sergio Vieira de Mello, a career diplomat for the UN who, until his death in August 2003 in the ghastly suicide attack on the UN headquarters in Baghdad, was a sort of geopolitical Zelig, showing up in war zones around the world on a mission to make peace, build nation-states and repatriate refugees—all part of "the fight to save the world," as Power puts it in her subtitle.

Power first met Vieira de Mello in 1994, when she was a young freelance journalist covering the former Yugoslavia and he was a senior adviser to the UN peacekeeping force there. "A cross between James Bond and Bobby Kennedy" is how one of her colleagues described him, and over dinner at a seafood restaurant in the Croatian capital of Zagreb, she was immediately smitten—with his intellect, his charm and his dedication to the principles for which the UN stands. In *Chasing the Flame*, Power casts Vieira de Mello as a model internationalist whose career is rich in lessons for our conflict-ridden world. At the UN, she writes, Vieira de Mello stood out for his linguistic skills, cultural breadth, critical mind, political savvy, humanitarian commitments and world-weary wisdom wrested from many years in the field. While Vieira de Mello never formulated a "guiding doctrine," she adds, he "did have a thirty-four-year head start in thinking about the plagues that preoccupy us today: civil war, refugee flows, religious extremism, suppressed national and religious identity, genocide, and terrorism." With the world's cultural and

Michael Massing, a New York writer, is a frequent contributor to The New York Review of Books *and* Columbia Journalism Review.

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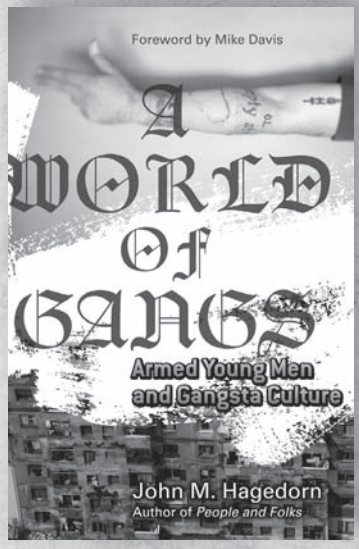
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religious fissures threatening to widen, Power states, "there is no better time to turn for guidance to a man whose long journey under fire helps to reveal the roots of our current predicament—and perhaps the remedies."

Power has brought to *Chasing the Flame* the same prodigious research skills she displayed in her first book. She conducted more than 400 interviews, scanned more than 10,000 pages of cables and memos, and examined Vieira de Mello's handwritten notes. At 622 pages, *Chasing the Flame* may be the longest book ever written about a bureaucrat (excepting perhaps Adolf Eichmann). We learn about the type of music Vieira de Mello liked to relax to (Beethoven and other classical composers), the brand of whiskey he preferred (Johnnie Walker Black Label), the cut of clothes he favored (crisply starched button-down shirts, Ferragamo ties). Power lists the various members of his many mission teams and enumerates the seemingly endless procession of women he bedded. (Handsome and vain, Vieira de Mello, though married, was a compulsive womanizer.) For most readers, *Chasing the Flame* offers far more detail than they will ever want to know about a man who never held a position higher than that of UN High Commissioner for Human Rights.

In the end, however, Power's meticulousness proves a great asset, for it has led her to document instances of not only triumph but also folly in Vieira de Mello's career. And while she presents him as embodying the UN system at its best—its dedication to humanitarianism, multilateralism and dialogue—a strong case can be made, based on the evidence she presents, that he represented the UN system at its worst—its timidity, mediocrity and zeal for self-protection. In the course of her book, the gulf between these two Sergios becomes glaring, yet Power never really faces up to it—never fully comes to terms with the man's many flaws. As a result, *Chasing the Flame* has a strangely uneven tone—sharply authoritative in some places, oddly reticent in others. This, in turn, seems to reflect Power's intellectual confusion as she struggles to move beyond the outdated worldview she articulated in her celebrated first book.

As a young man, Sergio Vieira de Mello considered himself a student revolutionary. Born in Rio de Janeiro, he graduated from a Franco-Brazilian high school and then briefly attended the University of Rio before moving to Europe to study philosophy, first at the University of Fribourg and then at the Sorbonne. Vieira de Mello was in Paris in May 1968 when the giant street protests broke out. Joining in, he was arrested, receiving in the process a gash above his right eye so severe that it would require corrective surgery thirty-five years later. This episode, however, would prove "the apex of his antiestablishment activism," as Power puts it. Unable to find a teaching job, Vieira de Mello landed a position with the United Nations High Commissioner for Refugees (UNHCR). In 1971, at age 23, he was sent into the field for the first time, to Dhaka, Bangladesh, to help Bengalis displaced from Pakistan. Feeding and sheltering refugees, Vieira de Mello realized that he was meant to be a man of action, and his career path was set.

After working with refugees in southern Sudan and Cyprus, Vieira de Mello was sent to Lebanon in 1981 to serve as an adviser to the UN peacekeeping force, educating commanders on the political lay of the land. After the Israelis invaded Lebanon and occupied the southern part of the country, in 1982, he was shocked to see how little respect they showed the UN flag. Still imbued with his anti-imperialist views, he engaged in small acts of civil disobedience—refusing to submit requests for travel permits to Israeli authorities; moving around without escorts; sitting in his car at checkpoints in the hot sun for an entire afternoon, denying the Israelis permission to search it. When briefing incoming groups of peacekeepers, Vieira de Mello urged them "to avoid close association with the occupiers, so as to maintain the faith of the populace."

These displays of "youthful absolutism," as Power calls them, would soon give way to the "pragmatism" for which Vieira de Mello "would later be known." It is this quality of Vieira de Mello's—his canny ability to size up the actual state of affairs and fashion solutions acceptable to all parties—that Power most admires in him. In practice, however, this trait often seems a cover for expedience and capitulation. An early example occurs in the late 1980s, when Vieira de Mello was assigned to help resolve the crisis of the Vietnamese "boat people." More than a decade after the end of the Vietnam War, Vietnamese were still abandoning their country in droves and washing up on the shores of Malaysia, Hong Kong, Indonesia and Thailand. Most were fleeing not political persecution but economic hardship. With the host countries and Western governments eager to stanch the flow, UNHCR set out to develop a plan that would facilitate the orderly return of the refugees to Vietnam while providing

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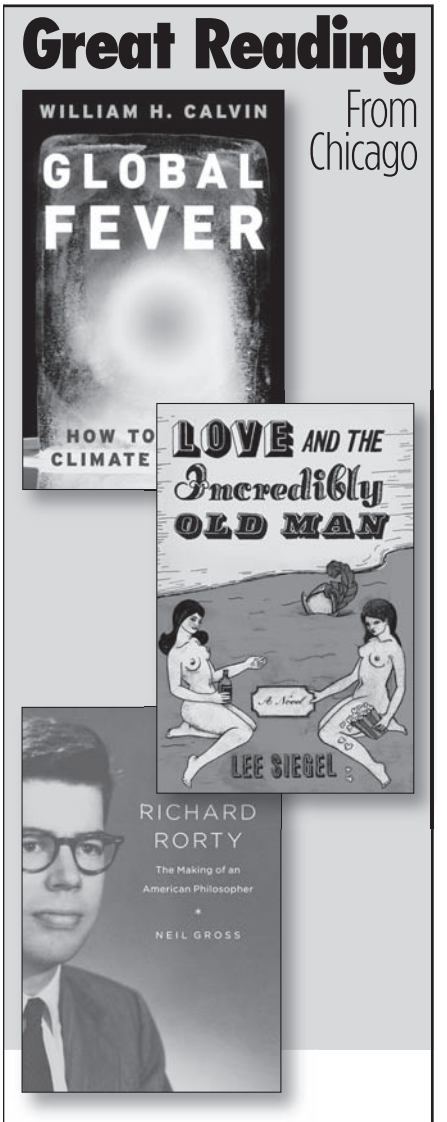
for case-by-case screening so that those facing a genuine threat of persecution could be identified and allowed to seek asylum. For thirteen months Vieira de Mello shuttled among key Western and East Asian capitals, working to hammer out a consensus. The result was a comprehensive resettlement plan that, at the insistence of the host governments, allowed for the use of coercion in forcing the refugees to return. This drew sharp protests from human rights advocates, including at UNHCR, where voluntariness was a core principle. Vieira de Mello, however, dismissed such concerns as foolhardy. When the plan was finally carried out, many refugees were indeed roughly handled, with guards in Hong Kong going so far as to inject them with sedatives to get them onto the transport planes.

In the end, the plan did work—some 70,000 migrants were sent back to Vietnam, and the flow out of that country slowed to a trickle—but only at a heavy cost to the rights of the migrants. Power acknowledges this. While Vieira de Mello may have been correct in believing that he had extracted the most humane possible outcome from the governments involved, she writes, "he could have gone to greater lengths to use his pulpit at UNHCR to try to ensure that the Vietnamese were more fairly screened in the camps and were better treated en route back to Vietnam." For a person "who recited UN ideals with near-romantic reverence," she observes, "Vieira de Mello had proven himself remarkably willing to compromise those principles." This hardly seems the stuff of an internationalist role model.

Those principles would receive a further test in Cambodia. Vieira de Mello was sent there in 1991 as part of the large UN peacekeeping mission set up after Cambodia's four factions signed the Paris peace agreement in October 1991. The mission was designed to help the country move from dictatorship to democracy, with elections scheduled for the spring of 1993. To help prepare for the vote, 360,000 Cambodian refugees who had been marooned on the Thai border were to be repatriated. Vieira de Mello was assigned to oversee the operation. The most pressing question he faced was how to deal with the Khmer Rouge. Many of the refugees had fled the group and would have to return to territory still under its control. Soon after arriving in Phnom Penh, Vieira de Mello visited a former Khmer Rouge torture center in which 20,000 people had been killed, and he was revolted by the photos of the victims he saw. Nonetheless, he was convinced that, in order to achieve both the repatriation of the refugees and the broader goal of peace and reconciliation in Cambodia, gaining the cooperation of the Khmer Rouge was essential, and he set out to win it. Few outsiders had dared to venture into Khmer territory, but Vieira de Mello intrepidly undertook the journey, at one point having to get out of his vehicle and wade across a river. On his arrival, he was cordially received by Khmer leaders. On a subsequent visit, he was treated to a sumptuous lunch by Ieng Sary, the group's best-known leader after Pol Pot. Over French wines and filet mignon, Vieira de Mello—studiously avoiding any mention of the Communists' past crimes—sought to convince him that his group could remain a significant player in Cambodia if it cooperated with the UN. Ieng Sary came to feel such regard for Vieira de Mello that he sent him a New Year's card.

Such chumminess appalled many of Vieira de Mello's colleagues. By lunching with these butchers, they felt, Vieira de Mello was helping to legitimate them. Dennis McNamara, one of Vieira de Mello's closest colleagues at UNHCR, heatedly told him that it would be madness to let civilians return to land controlled by mass murderers. The British journalist William Shawcross teased him that his eventual autobiography should be titled *My Friends, the War Criminals*. In the end, however, the repatriation effort went off smoothly, with 362,209 refugees returning to Cambodia; only one death was recorded, and that in a bus accident. That achievement greatly enhanced Vieira de Mello's reputation in the international community. This raises some obvious questions: Was Vieira de Mello's decision to deal with the Khmer Rouge justified? Did the devil's bargain he struck pay off? Power never says. Despite devoting sixty highly detailed pages to Vieira de Mello's Cambodian sojourn, she refrains from offering any overall assessment of his actions.

She is less equivocal in describing Vieira de Mello's next posting, to Bosnia. When he arrived in Sarajevo in 1993, the city was under siege from Serb snipers and shells. Eager to persuade the Serbs to let relief supplies through, Vieira de Mello set out to engage Serb leaders, especially Radovan Karadzic, an architect of the ethnic cleansing of Bosnian Muslims. Before the war, Vieira de Mello knew, Karadzic had worked as a psychiatrist. Before one of their meetings, Vieira de Mello picked up a copy of *The New York Review of Books* that had a long article in it about psychiatry; at the meeting, he presented it to Karadzic as a gift. In their discussions, Karadzic would go on



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endlessly about Serb grievances dating back to the fourteenth century. With his friends, Vieira de Mello vented his irritation, but with the man himself he remained studiously silent lest he lose his confidence.

The Serbs did let some supplies through, but their gunners kept pounding the city. Some UN officials wanted the peacekeepers to take a firmer stand and challenge the Serbs militarily. Vieira de Mello adamantly opposed such a course, maintaining that it would violate the UN's neutrality and thus harm its broader humanitarian goals. "Impartiality was so central to his understanding of the essence of UN peacekeeping," Power writes, "that he refused journalists' requests to state which party bore the greatest responsibility for the carnage." In the face of such passivity, *The Economist* labeled the UN "an armour-plated meals-on-wheels service"; others accused it of "passing out sandwiches at the gates of Auschwitz."

While in Sarajevo, Vieira de Mello did engage in one highly courageous act, organizing a clandestine UN convoy to transport Bosnian civilians past Serb checkpoints to the airport and out of the city; in this way, 298 people, including a delegation of Bosnian athletes and the Roman Catholic archbishop, were ferried out. Pleased with Vieira de Mello's performance, the UN assigned him to the UN peacekeeping headquarters in Zagreb; there, he supervised a team of fifty political analysts. Throughout, the mission hewed to a policy of strict neutrality. The general in charge, Sir Michael Rose, actually came to identify more with the professional Serb soldiers than with the ragtag Bosnian force; Sarajevo, he fatuously insisted, was not technically under siege. Vieira de Mello refused to challenge him on this or similar claims. When, after the Sarajevo marketplace massacre of February 5, 1994, the Clinton Administration threatened to unleash NATO airstrikes against the Serb forces, Vieira de Mello vigorously opposed them. "No matter how aggressive the Serbs became," Power observes, "Vieira de Mello clung to the belief that full-on NATO air strikes were not compatible with UN neutrality, and that UN neutrality was the cornerstone of the UN system.... It never seemed to dawn on him that he might help shape the views of governments from within the system."

Vieira de Mello's ability to charm was so great, Power writes, that each of the factions in the war came to believe he was on its side. But, she observes,

> during a bloody and morally fraught conflict in which the Serb side committed the bulk of the atrocities, his popularity with wrongdoers stemmed in part from his moral relativism. Even though he was unfailingly kind to Bosnian *individuals*, he had lost sight of the big picture. He seemed more interested in being liked and in maintaining access than in standing up for those who were suffering.

In light of Vieira de Mello's coziness with the Serbs, some of his UN colleagues came up with a nickname for him: Serbio.

Power's chapter on Vieira de Mello's time in Bosnia (which is based on her eyewitness research) is devastating, and after reading it I fully expected her to draw the obvious conclusion—that his vaunted pragmatism too often degenerated into simple amorality. But this she refuses to do. Clinging to her image of him as an exemplar of diplomacy and multilateralism, she instead chooses to stress how much he learned from his and the UN's mistakes in Bosnia. Upon hearing of the slaughter at Srebrenica, she notes, Vieira de Mello expressed shock and—finally seeing the light—embraced NATO intervention (outside the UN structure) as the only way out of the morass.

Power seems reluctant to face the less heroic side of Vieira de Mello's UN humanitarian work.

A new, more principled Sergio seems about to emerge. Yet when faced with his next great crisis—the flood of refugees from Rwanda after the genocide—the old Sergio quickly returns. His main stage this time was Tanzania, where more than half a million Rwandans had fled. After more than two years of accommodating them and putting up with the violence, theft and deforestation associated with their presence, the Tanzanian government announced its intention of closing the camps and sending the Rwandans home. Vieira de Mello, as UNHCR's representative, was sent to Dares-Salaam to negotiate a plan with the government. Some within UNHCR expressed fears that, with many Rwandans reluctant to return home, the Tanzanians would resort to force in expelling them. UNHCR had some leverage, for the Tanzanians wanted the agency to fund the operation. In his discussions with the Tanzanians, Vieira de Mello initially asked for assurances that coercion would not be used, but when the Tanzanians rejected this and asserted their right to send security forces into the camps, he quickly gave in. The refugees, he was convinced, would not budge without being subjected to some degree of coercion, and in any case it seemed clear that the Tanzanians were determined to move ahead with or without UNHCR's approval. Nonetheless, his deputy Martin Griffiths, who was present at the meeting, was shocked at how quickly Vieira de Mello acceded to the Tanzanians' terms.

In practice, the expulsion turned out to be very violent, with many Rwandans subjected to beatings, bribes, strip-searches and in some cases rape. Throughout, UNHCR and Vieira de Mello—afraid of jeopardizing their relationship with the Tanzanian government—remained silent. Human rights advocates were livid. "UNHCR may not have been able to stop the repatriation," one of them told Power, "but it should have made clear it opposed it, and it should have publicized what Tanzania was planning." Power again cites Vieira de Mello's UNHCR colleague Dennis McNamara. The problem with Sergio, he says, is that he "wanted to be friends with everyone." When forced to choose between governments, on the one hand, and human rights advocates, on the other, Sergio "sided with power."

This seems an utterly damning assessment. Yet once again, Power seeks to soften it. To nonexperts, she writes, "humanitarian action and human rights sounded like synonyms or, at the very least, complements." But in the real world, she goes on, Vieira de Mello knew that "feeding people was often incompatible with speaking out." This seems very odd, coming as it does from the author of "*A Problem From Hell*", where speaking out and alerting the world to mass criminal behavior was defined as the very essence of humanitarianism. Taking such a position here, however, would force Power to acknowledge more fully her protagonist's less heroic side, and this she seems reluctant to do.

Interestingly, when Vieira de Mello does perform admirably, it's usually because he's willing to jettison his pragmatism and act on principle. A striking example occurred during the war in Kosovo. In May 1999, six weeks after NATO began its bombing campaign, Vieira de Mello volunteered to lead a UN team into Serbia and Kosovo to assess the situation on the ground. The Clinton Administration—worried that the mission

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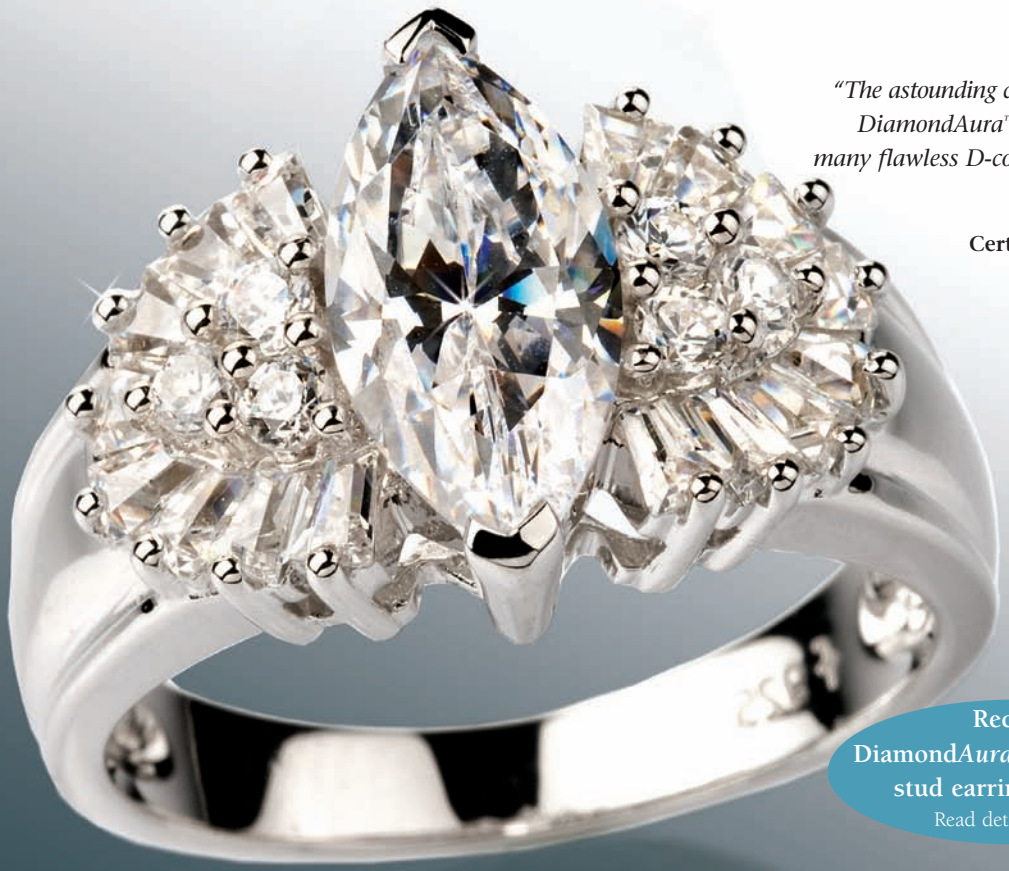

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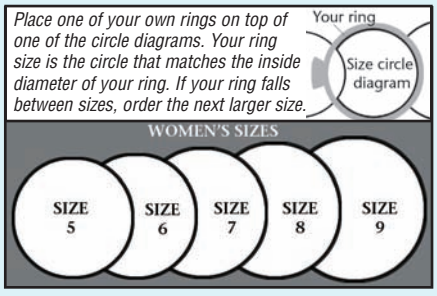
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would see the damage caused by NATO's bombs without getting an accurate picture of the bloodshed caused by the Serbs in Kosovo—was furious. So were the Serbs, who worried that the mission would get a firsthand look at the crimes they had committed in the province. Resisting pressure from both sides, Vieira de Mello and his team covered 1,900 miles in eleven days, traveling in a fleet of ten white Toyota 4Runners marked with the UN logo in black so that NATO planes would not strike them. Storming into ethnic Albanian homes for proof of war crimes, Vieira de Mello "bore little resemblance to the man known as a master diplomat with insufficient regard for human rights," Power writes. His actions, she adds, seemed to mark a resurrection in him of

> the uncompromising righteousness that he had not displayed since his days in Lebanon. If he had once believed that his job was to carry out the aggregate will of powerful governments, he now acted as though he believed that promoting UN principles and protecting the UN flag entailed standing firmly for the advancement of human dignity, even if that required acting in defiance of those governments.

After leaving Kosovo, Vieira de Mello, at a press conference in Montenegro, presented his findings of Serb abuses; later, appearing before the UN Security Council, he described the destruction caused by NATO's bombs. Through these dual performances, he showed that meeting the UN's humanitarian responsibilities often required not cultivating the powerful but standing up to them.

After serving for two and a half years as the chief administrator of the newly independent East Timor, Vieira de Mello was named the UN High Commissioner for Human Rights in September 2002. This displeased many human rights advocates, for in their view he had shown little concern for this issue throughout his career. They further worried that his personal ambitions—he was widely believed to want Kofi Annan's job—would make him reluctant to alienate governments. In any case, his time in that position would soon be overtaken by Iraq. The war there would present Vieira de Mello with his greatest test. Which Sergio would it be: the pliable pragmatist or the uncompromising humanitarian?

The answer was not long in coming. In principle, Vieira de Mello was not opposed to the war. Saddam Hussein's regime had spilled so much blood that he would have been happy to see it ousted. But he doubted that George Bush and his advisers had much genuine regard for the Iraqi people, and he was further put off by the Administration's flouting of the Security Council, so he opposed the invasion. In typical fashion, however, he refused to say so publicly. When Ruud Lubbers, the UN High Commissioner for Refugees, asked him to join in rallying the heads of UN agencies to oppose the war, he declined. In early March 2003, he was invited to meet with Bush at the White House. The meeting was arranged by a former colleague of Vieira de Mello's who was now working for the National Security Council and who wanted the President to see "the most appealing face of the United Nations." During the meeting, Vieira de Mello criticized US policies in Guantánamo, but he was so charming that Bush "took a visible liking to him," and the meeting went on for twice as long as had been scheduled. At the UN, many felt Vieira de Mello was angling for a job in Iraq after the war. Vieira de Mello laughed off such suggestions, but when Annan—seeking to ingratiate himself with

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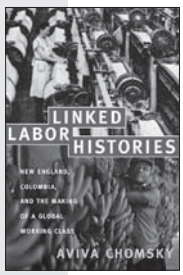

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the Americans—decided to re-establish a UN presence in Iraq soon after the invasion, he named Vieira de Mello to head it. "America's pick" is how many UN staffers saw it.

Arriving in Baghdad, in June 2003, Vieira de Mello did show some signs of independence. Intent on staying in touch with the Iraqi "street," he decided to locate his mission not in the Green Zone but in a former hotel that was easily accessible to Iraqis. In his first six weeks on the job, he met with an array of Iraqi religious, political and civic leaders. Throughout, however, he sought to stay on good terms with the Coalition Provisional Authority (CPA) and its head, Paul Bremer. He and Bremer quickly hit it off. Both were "handsome, charismatic, hyperachieving workaholics who knew how to take charge," Power writes. "Although Bremer had close ties to the neoconservatives, who were known for their anti-UN fervor, Vieira de Mello believed that Bremer was cut from a different cloth because he spoke French, Dutch and Norwegian. This gift for languages testified to a curiosity and a breadth of perspective that he did not often find among Americans."

Aware of the toll the US occupation was taking on Iraqi morale, Vieira de Mello sought to serve as an intermediary between Bremer and Iraqi leaders. Some of his staff, however, felt he was getting too close to the Americans. "Sergio," a political aide told him, "don't you see, you're not changing the Americans. You are helping the Americans." When Bremer moved to set up an Iraq Governing Council, Vieira de Mello, eager to contribute, provided the names of potential members, several of whom were selected. Once the council was constituted, however, Bremer—no longer needing Vieira de Mello's services—cut him off. The council was dismissed by most Iraqis as a fig leaf for the Americans. Feeling invested in it, however, Vieira de Mello set off on a whirlwind tour of the Middle East to sell it.

During this period, the number of Iraqis killed by US forces steadily rose, and the rage of the Iraqi people mounted along with it. As the UN's top official in Iraq, Vieira de Mello was in a good position to publicize such incidents and demand that they be investigated. But—intent on staying on good terms with the Americans—he refrained from doing so. When an attack led by the US-led coalition in the Sunni Triangle left an 8-year-old boy and his mother dead, Marwan Ali, a Palestinian political officer with the mission, pressed Vieira de Mello to issue a statement of protest. On August 18, 2003, Vieira de Mello gave his consent. The statement would be the first-ever public UN condemnation of a coalition human rights violation.

It would never get released, however, for the next afternoon a truck bomb packed with 1,000 pounds of explosives detonated on the street just below Vieira de Mello's office. Buried in the rubble, he remained alive for several hours. Power's description of the attack and its horrific aftermath, including the poorly executed and ultimately futile effort to rescue Vieira de Mello, is a tour de force of writing and reporting, capturing with dramatic intensity the awful scale of the tragedy. Power further conveys the growing awareness among UN staff members of the deep flaws in their mission. The UN, they believed, had failed to appreciate how hated it had become in Iraq, "owing to sanctions, weapons inspections, and (thanks to Vieira de Mello's high-profile intermediary role) its association with the Governing Council."

The staff grew even more demoralized when Kofi Annan announced that the UN would maintain a presence in Iraq despite the lethal dangers it faced. As Power notes, at no time did Annan or his staff delve into

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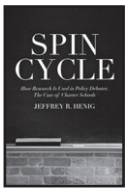

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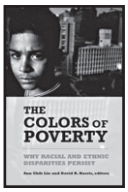

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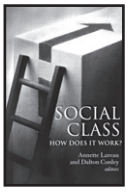

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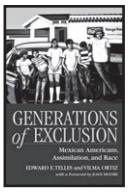

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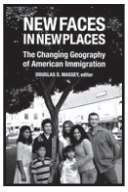

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the really pressing questions raised by the tragedy:

> Why had Annan so eagerly accepted the Security Council's summons to go to Iraq? Why did he send his finest staff to enforce an almost nonexistent mandate? Why, after the attack, had he chosen to keep UN staff in harm's way, even though they were not performing vital tasks? What would it take for the UN secretary-general, in fact, to learn to say no to powerful countries?

This last question, it seems to me, goes to the heart of *Chasing the Flame*. Of the UN's many faults, some seem an inevitable byproduct of the way the organization is structured. As a child of its member states, the UN cannot help but reflect their narrow self-interests as well as the divisions among them. It's further to be expected that those states with the most power and resources will have a disproportionate say in its affairs. At the same time, the UN as an institution has its own set of ideals—consultation, coexistence, human rights—that are supposed to guide it apart from the desires of its member states. The UN's behavior in the lead-up to the Iraq War provided a stirring example of this. The debate in the Security Council over whether to authorize the use of force against Iraq, together with the impressive performance of the UN weapons inspectors, showed that the UN can stick to its principles even in the face of extreme pressure from its most powerful member.

Similarly, Vieira de Mello seemed at his best when, as in Kosovo, he stood up for those principles in the face of strong pressures to do otherwise. Unfortunately, such occurrences were rare in his career. Far more frequently, he sought to court the powerful. Drinking beer with Ieng Sary, presenting Radovan Karadzic with a copy of *The New York Review of Books*, cultivating Paul Bremer and the CPA, this onetime student revolutionary seemed to become over the course of his career a serial appeaser, passing up one opportunity after another to expose, protest and condemn the crimes being perpetrated around him.

Samantha Power does in places take note of this. "Senior officials, including himself," she writes, "were often so eager to tell the major powers what they wanted to hear that they had covered up deadly facts or exaggerated their own successes." For the most part, however, she finds Vieira de Mello's actions praiseworthy. He "made mistakes and delivered few unvarnished successes that could be guaranteed to last," she observes, but "as long as he was around—treating the most intractable conflicts as if peace were one phone call away, eschewing diplomatic hierarchy in the frantic pursuit of solutions, and remaining unflappable, impeccable, and seemingly untouchable while the shells rained down around him—a flame continued to flicker somewhere." Power urges the world community to take heed of the key lessons of Vieira de Mello's career. Among them: legitimacy "matters"; spoilers and rogue states "must be engaged"; fearful people "must be made more secure"; "dignity" must be made "the cornerstone of order."

Unfortunately, these lessons seem banal. Missing from Power's list are what seem to be the true lessons of Vieira de Mello's life: abuses must be denounced, mass murderers must be confronted, perpetrators must be held accountable. Needless to say, one must find practical ways of applying these prin-

Belovèd

Here am i splashing in this dark water of the double
dead half. way from Gorée to West Point Pico Teneriffe and Cattlewash
Barbados. jump back. ward overboard thru this one moment in the crack

& netting fence to keep us in to keep us out four hundred years ago .
each forward wave i now will grow take me back another rest-
less hundred henchmen years. each back i break will hardly take

me farward to yr arms now cold & wheel & tempest-
toss(ed) upon the limbo deck that slant you down and leave
you wreck w/in the tangle saltweed dungle dungeon of this abugrave

And so i lose you. Asua
you who remain unloose on board this shrouded vessel with its grieve-
ing sound(s). who carry w/you memories of yam of cooking pots
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gonnu shore. the amankrado songs of village home & hoom & oum-
fô growing from yr uplide downside midnight roots. It was the sound
of all these chains on board that ship. twisting in groan & starkle roar
that really tek me from you. cut-way my trouble light. light dark-

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ciples; in the end, though, it's the principles that must lead the way. It was ideals such as these that drove Raphael Lemkin and the other crusaders of Power's first book. Of them she wrote: "They saw something that haunted them, that turned the daily press accounts [of atrocities] into vibrant cries from the grave, cries that broke through the cordon sanitaire that deflects unwelcome news." These "screamers," as she called them, "treated silence as if it were a further crime against humanity." For most of his career, Vieira de Mello remained silent.

One of the most revealing moments in *Chasing the Flame* comes in the introduction, where Power describes that initial meeting with Vieira de Mello at the restaurant in Zagreb. Toward the end of the meal, Vieira de Mello reaches into the breast pocket of his elegantly tailored blazer and pulls out a battered piece of paper. It contains the section of the Security Council resolution on the Balkans that set up the six "safe areas" in the region, the only formal instructions that Vieira de Mello and his fellow peacekeepers ever received. Vieira de Mello directs Power's attention to a set of commas in the text. "Look at this," he says heatedly. "The resolution says we should 'comma—*acting in self-defense*—comma—take the necessary measures—comma—including the use of force' to respond to attacks against civilians!" The vagueness of this infuriated him: "What are the commas supposed to mean? Does it mean the UN should only use force in self-defense? Or does it mean we should use force in self-defense and also to protect the Bosnians?" To devote so much energy and attention to a few ambiguous marks of punctuation while defenseless civilians were being slaughtered all around him seems the height of bureaucratic futility.

The great question *Chasing the Flame* left me with is, Why? Why has Power so fervently embraced a man who seems to represent everything she so decisively rejected in her first book? Reading this one, I got the sense that Power, having set out to write a hero's life, became so heavily invested in such a narrative that she was unable to change course even when her reporting strongly suggested otherwise. But clearly something deeper is going on here, having to do with Power's own intellectual journey. In her first book, she was so taken with the idea of America as the guardian of moral behavior in the world that she failed to take adequate account of America's long history of misbehavior. Now, looking to the UN as the great protector, she has failed to appreciate its long record of passivity and complicity in the face of atrocity. Perhaps in her next book she'll arrive at a more satisfying synthesis.

To do that, however, she'll have to resolve the competing forces tugging at her professional life. Just as Vieira de Mello made the journey from student revolutionary to senior diplomat, so has Samantha Power gone from being an independent critic working outside the system to being a high-profile figure operating within it. Her book's odd shifts in tone and frustrating gaps in analysis reflect, I think, the ambivalence she feels about making that transition. In grappling with the many compromises Vieira de Mello made in the course of his career, Power may be unconsciously wrestling with the accommodations she's been forced to make as she's traveled the perilous path from obscurity to celebrity, from being an outside analyst assessing those in power to being one of the powerful herself. ■

•

ness in the groin & belly bottom of dat prism. my lips now bruise
from brutal sailor blows. this block of blues
across my face. this singing net of whisper whips across my black
chain to a water house in constant flowing forward motion rock-

ing back. ward and no way no way into yr softly kiss. ing lip & lapp-
ing coim of wave . red flower blooming spark & strangle in my nostril
this rule of water raining midnight midnight midnight in my heart
the whole wide open eye of swallow ocean and horizon in this sound

•

Yr ship went on. its rack stern wall like mock
-ing me among the sharks. yr face lost in the rope & call
-ing rigging sprawl on deck. the sails full of the hope
-less fleet. ing moonlight farewell shadows of commotion

but i am free. asua. free & alone in these unclouded crowded
middlepassage waters far from home
un. chain(ed) from love & love's emotion in this steep un. ground
and even as i drown . i smile i dream this poem

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Beyond Belief

by JEFF SHARLET

"I feel safer down here among the Christian savages along Narragansett Bay than I do among the savage Christians of Massachusetts Bay Colony," wrote Roger Williams, the founder of Rhode Island, shortly after his exile from polite society in 1635. Williams was one of the great heretics of what Europeans deemed a new world, not least because he bothered to learn the languages and customs of those he found already living there. He knew the Native Americans he admired were not Christians in any doctrinal sense, but he believed they lived according to a spirit of brotherly love more fully than the Puritans of Massachusetts from whom he'd fled. Martha Nussbaum argues that Williams's friendships with Narragansett leaders in Rhode Island left him with the kind of nuanced understanding of tolerance that would become the bedrock of American religious freedom—and, what's more, liberty of conscience. What is the distinction? Religion is a set of beliefs, ideas, rituals or customs. Conscience is more fundamental: the faculty of searching for the beliefs, ideas, rituals or customs that make up religion or, for that matter, the rejection of religion. Conscience is "precious," she says, whether it's exercised or not, an insight she credits Williams with recognizing long before John Locke—due, in large part, to Williams's fascination with the non-Christian savages he encountered in the process of colonizing their land.

Was Williams romanticizing the Native Americans he met, mostly leaders like himself who surely grasped the value of good relations with a powerful newcomer to their territory? Undoubtedly. Does Nussbaum, a professor of law, philosophy and divinity at the University of Chicago, take a similarly rosy view of what she calls "the lesson of the first Thanksgiving," "a distinctively American combination of principles" she refers to throughout *Liberty of Conscience* as "*the* tradition"? (emphasis mine) Surely. After all, "the tradition" hasn't had much staying power, as she demonstrates in chapters on anti-Mormonism, anti-Catholicism and even, quite recently, a Supreme Court hostile to the religious customs of Native Americans.

Jeff Sharlet is a contributing editor for Harper's *and* Rolling Stone. *His second book,* The Family: The Secret Fundamentalism at the Heart of American Power, *which was written with support from The Nation Institute Investigative Fund, is just out from Harper.*

Liberty of Conscience
In Defense of America's Tradition of Religious Equality.
By Martha Nussbaum.
Basic. 406 pp. $28.95.

Founding Faith
Providence, Politics, and the Birth of Religious Freedom in America.
By Steven Waldman.
Random House. 277 pp. $26.

The tradition isn't yet traditional, but Nussbaum's book, a fundamentally flawed but wise consideration of the subtle distinctions between "freedom" and "equality," may help cultivate it in years to come.

Meanwhile, *Founding Faith*—a new book by Steven Waldman, a former religion reporter—is the sort of carefully crafted crowd pleaser that trades Williams's liberty of conscience for the solace of centrism. "The Founding Faith," Waldman writes, "was not Christianity, and it was not secularism. It was religious liberty—a revolutionary formula for promoting faith by leaving it alone." Here we see the implications of the fine line Nussbaum draws between "freedom" and "equality." The former, on its own, can collapse into the sort of bland theism announced by an original catchphrase of Beliefnet, an online religion portal created by Waldman in 1999 and recently sold to Rupert Murdoch's News Corp: "Everyone believes in something." In political terms, such a sentiment results in the banal cold war faith of President Eisenhower, who dispensed with the Constitution's Establishment Clause with the curt declaration that "our government makes no sense unless it is founded on a deeply felt religious faith—and I don't care what it is."

Religious freedom protects one's right to believe, but too often it has been interpreted as doing no more than that, and not just by sleepy executives who prefer golf and war to the subtleties of civil liberties. "An 'establishment of religion,'" Nussbaum reminds us—that which was forbidden to the federal government by the First Amendment—"means that government has put its stamp of approval on some particular religion or group of religions, creating an official orthodoxy." It's a short leap from Waldman's implicit contention that government ought to promote faith to the late Chief Justice William Rehnquist's judicial notion of "nonpreferentialism," which holds that while government cannot favor one religion over another, it can certainly favor religion in general. Nonpreferentialism is itself an orthodoxy: call it religionism.

That idea didn't die with Rehnquist. Justice Antonin Scalia sharpened Rehnquist's point by arguing in a dissent in *McCreary County v. American Civil Liberties Union of Kentucky* (2005) that government may favor monotheistic religion, and Justice Clarence Thomas is ready to write off the Establishment Clause as it applies to the states altogether, arguing in a concurring opinion in *Elk Grove Unified School District v. Newdow* (2004) that while the federal government can't establish religion, states can. If one follows Thomas's logic, widely shared by evangelical conservatives, there is nothing stopping Texas from declaring itself Baptist territory—a prospect foreshadowed in the official platform of the Texas GOP, which declares the United States a Christian country.

How do we avoid that slide into Christian nationalism, from the centrism of Waldman to the monotheistic prejudice of Rehnquist and Scalia to the blatant Christian favoritism on display in President Bush's faith-based initiatives agenda? Waldman thinks he has a solution: "extremists" on both sides should admit that everybody is a little bit wrong and a little bit right. Conservatives should stop accusing separationists of being antireligion. Separationists should stop being so, well, separationist. Conservatives should stop claiming the founders were all Christians. Liberals should stop claiming the founders were all deists.

Much of *Founding Faith*, in fact, is dedicated to providing capsule biographies of the founders that in the end reveal nothing so much as the religious eccentricity of the Revolutionary era, when all the old ways were subject to re-examination and reconstruction, most famously in Thomas Jefferson's cut-and-paste Bible. Jefferson deleted all of Christ's miracles, making of the Messiah an ordinary man. (It's an iconoclastic impulse lost on the annual Congressionally sponsored National Prayer Breakfast, the program of which so violently wrenches out of context Jefferson's views on Jesus that it makes a President accused in his own day of atheism sound like a holy roller.) Benjamin Franklin, whom Waldman dubs "the Puritan New Ager," was also a Bible cutter, snipping Mary out of the Apostle's Creed; as for the "Angry Unitarian" John Adams, he emerges in Waldman's short portrait as deeply conflicted about the role of religion in the new nation.

But the relationship between the "spiritual journeys" of the founders, as Waldman

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describes the stories he tells, and contemporary governance is a mystery, unless you're an adherent of Waldman's "Founding Faith," otherwise known as the myth of origins: as a thing was created, so its essence forever remains. It's founder porn, a fetishistic fascination with the behind-the-scenes, under-the-covers, shifting whimsy of a group of men who set down their best ideas—the ones they hoped would actually endure—in a few readily available public documents. Founder porn even sounds naughty. "Were he alive today," Waldman writes of James Madison, "he would conclude, with awesome pride"—well, it doesn't really matter what Waldman thinks a resurrected Madison would conclude. Check out his awesome pride! That's either a euphemism for a member of Congress or the name of a Toby Keith cover band.

For Nussbaum, Roger Williams is as important to the tradition of liberty of conscience as Locke.

So it goes throughout *Founding Faith*, an entertaining, made-for-The-History-Channel book: a nod to the right, a nod to the left, dip both ways and do-si-do down the middle. Such folksy history can be harmless, and even worthwhile; Waldman's book, already widely touted as a truce in the culture wars, proposes a standard of religious freedom most of us would be content to live by. Atheists might feel slighted, but they would not be persecuted. Such is the nation that would provoke Madison's pride. But it is not the nation we live in.

Waldman wins his centrist peace by dismissing Christian conservatives' majoritarian bullying and secularists' insistence on separation of church and state as "extremes" that can be reconciled by the former acknowledging pluralism and the latter accepting that separation is neither strict nor meant to be universal. Doing so, however, would require fundamentalists to give up the most important claim of their faith—its exclusivity—and secularists to ignore history. Significantly, Waldman pays only brief lip service to an essential development in American law, the principle of incorporation—the Fourteenth Amendment's extension of the Bill of Rights to the states. Incorporation is the tidiest rebuttal to Justice Thomas's antebellum legal dreams and Waldman's contention that the protection of minority views as an essential function of separation is a "liberal fallacy."

Incorporation, notes Nussbaum, is "settled law." What's still in dispute is the meaning of freedom, the value of equality, the ends that can be justified in attempting to achieve both and just what separation is good for, anyway. In other words, it's all up for grabs. Waldman's centrism may appear to support a mildly liberal resolution; his book is, in the end, a defense of separation of church and state, very narrowly defined. But by slighting the enduring strength of religious conservatism, suggesting that the right's partisans and the left's separationists are evenly matched and assuming that his relatively liberal views are the happy mean, Waldman undermines the case for real religious freedom and liberty of conscience. *Founding Faith* is one of those books that find friends and enemies on both the left and the right and thus declare themselves balanced, as if freedom and equality were sandwich meats to be weighed on a scale.

Waldman's proposal is that we all be as nice and moderate as he is. Nussbaum's is that we be as broad-minded, rigorous and fair as Roger Williams. The most powerful argument of *Liberty of Conscience* lies in Nussbaum's careful reconstruction of Williams as a thinker at least as important to the tradition of liberty of conscience—the term she prefers to religion—as Locke and all the founders who followed. "We should not focus only on the eighteenth-century arguments of the framers," she writes, "ignoring this prior, and distinctly American, tradition, quintessentially embodied in Williams' *The Bloudy Tenent of Persecution*," a 1644 text that was remarkable for the empathy it extended to persecutors and persecuted alike and its call for government to refrain from enforcing orthodoxy. Recognition of good-faith differences of conviction, he believed, revealed a surer path to civil peace and liberty of conscience. The two values, so often seen as pitted against each other, were in Williams's account intertwined.

Williams, Nussbaum argues, is not only undervalued but also misunderstood, remembered, if at all, for "one (uncharacteristic) phrase he used once in a letter, the 'wall of separation' between religion and state." He's hardly remembered for even that; the phrase is most commonly attributed to Jefferson, who deployed it a century and a half later in his famous 1802 letter to the Danbury Baptists, a text that is such a scourge of Christian nationalism that a group of fundamentalist pastors from around the country recently sought to exorcise the spirit of Jefferson from the church's foundation stones. It was Williams, as devout as Jefferson was skeptical but just as heretical according to the standards of his time, who coined the phrase along with another still in use, and far more important to understanding his thought: "soule rape."

By this, Williams meant the imposition of beliefs or practices on another's conscience, another's ability to seek truth. Seeking truth, he believed, mattered as much—more, for the purposes of governance—than finding it. It was the act of inquiry, or even the potential for inquiry, that he viewed as the most essential quality of being human. Williams saw consciences as "delicate, vulnerable, living things," writes Nussbaum, a perception that led him to conclude that to ensure liberty of conscience government must go beyond simple neutrality. When Locke concluded that a government couldn't forbid, say, adult baptism unless it could show that adult immersion in water is in all cases harmful, he was upholding the principle of neutrality, whereby a law applies to everyone at all times in precisely the same way. Williams, however, maintained that in Rhode Island, at least, conscience could trump law in situations where an ostensibly neutral edict requiring oath-swearing, hat-doffing or military conscription could, in effect, impose an orthodoxy on an individual's conscience—soul rape. "In other words," writes Nussbaum, "Williams has forged the concept of accommodation.... Laws of general applicability have force only up to the point where they threaten religious liberty (and public order and safety are not at stake)."

Of course, "public order and safety" is a notoriously slippery standard. Nussbaum pays special attention to *Minersville School District v. Gobitis*, a 1940 Supreme Court ruling that held that the state may force Jehovah's Witnesses to salute the flag. Justice Felix Frankfurter, writing for the majority, declared that "national unity is the basis of national security," a perfect example of the majoritarian neutrality thinking favored by Locke and, as it happens, Justice Scalia. In 1940 it resulted in an anti-Witness mob in Maine reciting the opinion in public as a call to arms and a police chief in Virginia tying Witnesses together, forcing castor oil down their throats and parading them through town. The American Civil Liberties Union estimated that during the six months following the decision, vigilantes assaulted nearly 1,500 Witnesses across the country. In Texas, the ACLU called for the state's legendary Rangers to come to the aid of Witnesses under virtual siege.

Bodily harm goes beyond soul rape, of course, but when any authority of the state is applied to any religious orthodoxy—explicitly, as in the case of *Minersville*, which enforced an orthodoxy negatively, or im-

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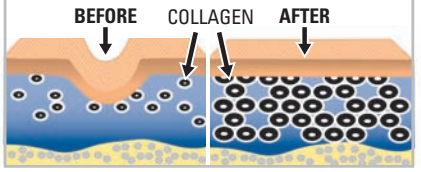

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plicitly, as in the current Supreme Court's sympathy for nonpreferentialism and even monotheism—soul rape all too often leads to broken bones, burned churches and worse. Indeed, Justice Tom Clark, writing for the majority in *School District of Abington Township v. Schempp*—the landmark 1963 case that ruled state-sponsored Bible reading in schools unconstitutional—argued that with regard to liberty of conscience, no issue is minor: "The breach of neutrality that is today a trickling stream may all too soon become a raging torrent."

There's that word again: neutrality. Leaving aside the crass acts of coercion winked at by bullies such as Scalia, we are still left with the question of how to balance the principle of neutrality admirably on display in the Court's decision in *Abington* and the principle of accommodation so lacking in its *Minersville* ruling. Here is where Nussbaum's reliance on philosophical and legal arguments at the expense of ethnographic data—stories from the real world—lets her, and the principle of separation, down.

Can the wall between church and state balance the principles of neutrality and accommodation?

Nussbaum rightly observes that for much of American history, separation of church and state served as a thin veil for anti-Catholicism. Contemporary fundamentalists who view the 1947 Supreme Court decision *Everson v. Board of Education*, in which Justice Hugo Black invoked Jefferson's version of the "wall of separation," as the insult to God that led America into decades of divine punishment point out that Black was once a Klansman and an anti-Catholic bigot. That's true. But *Everson* actually came down on the side of the New Jersey law that authorized school boards to reimburse parents who had paid for public buses to transport their children to private schools, including Catholic ones. In other words, the wall of separation, strictly applied, did not preclude accommodation; it demanded it. The Court ruled on the question of whether state aid for school transportation should be supplied to all parents, regardless of religion or the religion taught in their children's schools.

Nussbaum writes that Black "departs utterly (and wisely) from the separationist norm." But not, she could have noted, from the separationist ideal. Nussbaum considers that ideal a "bare idea" and one that, when applied too stringently by secularists, results in discrimination against religious folk. One of her chief examples is *School District of Grand Rapids v. Ball* (1984), in which the Supreme Court ruled that a program that provided remedial education for poor children at parochial schools was unconstitutional. Nussbaum thinks this ruling was wrongheaded, not least because transportation to public school for some 20,000 children was "not feasible." That ought to be the real issue—20,000 kids lacking transportation to public school. Instead, she focuses on what she views as an overly sensitive concern about indoctrination. Since no specific charges of religious proselytism were made, she wonders, what's the problem? Isn't this a case of too-zealous separationists stomping on a pragmatic solution?

Given this conclusion, one wonders how a Justice Nussbaum would rule on a legal challenge to the Justice Department's Fugitive Safe Surrender program, in which US Marshals move much of a city's court system into a black church and then recruit local media to advertise a special opportunity for fugitives to give themselves up to a church. At the church-court I attended in 2007 at The House of the Lord in Akron, Ohio, gospel music greeted fugitives who'd cleared the police at the megachurch's door and filled out a survey indirectly subsidized by the Justice Department that asks whether the locale was a factor in their decision to turn themselves in. Pastors stood ready to offer spiritual counsel, municipal judges quizzed defendants on what had moved them to surrender and a federal judge named John Adams was on hand to hear the most serious cases. Adams was flummoxed by questions about church/state separation—after all, he argued, the church had promised not to proselytize. But many members of the church, wearing US Marshals–supplied T-shirts and stationed at every exit, were doing just that, proving that as far as separation goes, policy isn't always practice.

According to Peter Elliott, the US Marshal who devised the program (which has been to nine cities, with plans for eight more in the works), many African-Americans are so wary of the justice system that church-court offers them their only chance at legal redemption. "If people surrendered at the police department, we wouldn't have to do this," he told me. "But they don't. And why don't they? Because they don't trust people like me. So I went back to the institution in my life that I trust the most. The church! If we brought the whole justice center out and put it in a church, people will *turn* themselves in."

If this justification seems like a more egregious abuse of the Establishment Clause than the school program the Supreme Court ruled against in *Grand Rapids v. Ball*, consider the logic embraced by Marshal Peter Elliott, Judge John Adams and Martha Nussbaum: in situations where the state fails to provide the most basic services—access to public schools, a court system in which one can reasonably expect to be judged on the facts of one's case rather than by the color of one's skin—it is acceptable to turn to religious institutions as proxy providers, and even to pour public money into them. It's quite possible that the parochial schools involved in *Grand Rapids v. Ball* never crossed the lines that were breached at The House of the Lord in Akron, where there was a cross outside the "court" building and gospel music within. But the breakdown of basic state functions is hardly a call for religious accommodation, regardless of whether the religious folk involved respect the separation of church and state. This is especially true in areas such as education and the courts, where powerful religious movements with heavy political representation champion privatization on the principle that public education and non-Christian courts are a grave offense before God.

That they do so might be news to Nussbaum; a weakness in this otherwise well-researched book is its utter lack of engagement with contemporary evangelical or fundamentalist ideas and sources. Nussbaum sticks to respectable texts by long-dead political philosophers, contemporary legal thinkers and fellow scholars. Following John Rawls, she argues that "liberty of conscience is one of the things reasonable people will value most." Indeed; but it is no insult to our fundamentalist brethren to acknowledge that many explicitly reject what they view as a humanist overemphasis on reason. Their right to hold that view should be considered as "precious," in Nussbaum's oft-repeated term, and as worthy of protection as her own embrace of an "overlapping consensus," "the idea of a moral and natural goodness that we can share while differing on ultimate religious ends…an idea that helps us think about our common life together much better than the unclear and at times misleading idea of separation."

Nussbaum sees separation as merely a tool, useful in some circumstances, pointless in others. The separation language in Justice Black's crucial *Everson v. Board of Education* decision, she argues, is nothing but "decorative." That's an odd dismissal from one who argues that state coercion (mandatory school prayer, for example) is not required to prove

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that religion has been established; establishment, she writes elsewhere, could just as easily occur through ostensibly "voluntary" prayer, or even merely an invitation to pray.

Nussbaum makes the same mistake as Judge Adams, conflating policy with practice, the letter of the law with the spirit that many believers bring to a public square they think was created by and for God—their God, who will discipline believers and unbelievers alike if his square isn't kept holy. Adams, a Bush appointee, may have his own reasons for blurring that distinction. More worrisome are those liberal defenders of religious equality such as Nussbaum and Waldman, who actually do know better and yet strengthen the hand of the theocons by underestimating and even minimalizing the scope of the Christian nationalist challenge. "At this point," Nussbaum writes, "school authorities know that they have to permit an exception for any child who conscientiously objects to participating" in the pledge. That's unlikely in a nation where explicitly religious—and often scientifically inaccurate—ideas about a matter as personal as sex are taught to millions of public school children.

Then again, the morality of sexual abstinence is one of those ideas that in many communities come under the heading of "overlapping consensus," just like monogamy, patriotism and Ike's old maxim about the necessity of faith, regardless of where it's placed. The overlapping consensus model extends an assumption of good faith to all parties. That's fine. But it fails when it rests too easily on assumptions about just what good faith is. ■

ROBERT CAPLIN/RAPPORT VIA NEWSCOM

Richard Price

Tight Corners

by ELAINE BLAIR

Lush Life
By Richard Price.
Farrar, Straus and Giroux. 455 pp. $26.

The transformation of working-class neighborhoods and derelict manufacturing zones into blocks of condos and bistros has become a familiar occurrence in many American cities over the past two decades, but perhaps nowhere has it been more noticeable than in New York City. Throughout Manhattan and parts of Brooklyn, gentrification has grown so commonplace that it's easy to overlook the strange and possibly unprecedented demographic configurations that real estate speculation has wrought in some neighborhoods. On the Lower East Side of Manhattan, Richard Price reminds us in his fine new novel, tenements of refurbished, newly expensive apartments and boutique hotels inhabited by professionals are only blocks away from tenements packed with immigrants sleeping six or twelve to a room. From the outside these buildings might look alike, and even on the inside you can see the skeletons of the same railroad apartments, but only in the immigrants' tenements are the rooms subdivided into tiny cubicles or lined with wooden planks, "like extrawide bookshelves," for sleeping on.

Like Price's three most recent books—*Clockers*, *Freedomland* and *Samaritan*—*Lush Life* is part crime novel, part social realism, though perhaps "social realism" doesn't do justice to the book's many comic moments. The crime here is the murder of a young man on Eldridge Street, and in the course of the investigation Price takes us to all corners of the neighborhood to meet the locals. When *Lush Life* opens it's 11 PM on a typical night on the Lower East Side: a smattering of Chinese immigrants are returning home from work; families—Dominican, Orthodox Jewish, Bangladeshi—are tucked away somewhere indoors; tourists and revelers in their 20s are swarming the neighborhood's bars and clubs, soon to tumble back out into the streets, staggering drunk.

Observing all this activity is the Quality of Life Task Force of the Eighth Precinct. Quality of Life, as the group is called, is composed of four youngish policemen who drive around in a fake taxi (which doesn't seem to fool anyone but the drunk college kids who occasionally try to hail it) looking for small-time offenses—attempted muggings, marijuana possessions—that might lead them to bigger criminals. The group's name doesn't have the hard-boiled luster of Homicide or Narcotics, but its beat is one of the cornerstone strategies developed by the Giuliani-era NYPD and credited with the huge drop in violent crime that has helped turn formerly shabby neighborhoods like the Lower East Side into coveted real estate. The novel takes place sometime in the mid-2000s, and, crime being down, Quality of Life is having another slow night. The cops kill time ribbing one another and egging on would-be muggers from inside the taxi as they creep around the blocks "for an hour of endless tight right turns: falafel joint, jazz joint, gyro joint, corner. Schoolyard, creperie, realtor, corner. Tenement, tenement, tenement museum, corner. Pink Pony, Blind Tiger, muffin boutique, corner. Sex shop, tea shop, synagogue, corner."

The Lower East Side's new commercial flavor brings out Price's biting sense of humor. As always he's a sharp observer of the talk, dress, manners and vanities of his characters, and here he's also a master at concocting preposterous but somehow plausible situations that capture what's good and bad and absurd about the neighborhood. In one early scene local Catholics, mostly Latino, line up around the block to see a shape vaguely resembling the Virgin Mary formed in the condensation on a glass refrigerator door in a mini-mart. A second crowd, this one "mostly young, white, and bemused," forms to watch the first crowd. Meanwhile, the Yemeni brothers who own the mini-mart are charging a dollar a head to see the miracle. "Say hello to Mary," says the brother collecting money at the door. "She loves you very much."

The urban landscape of *Lush Life* is different from the one we've come to know in Price's recent books, which are set in the fictional city of Dempsy, New Jersey: midsize, postindustrial, economically depressed, racially segregated.

Elaine Blair is the author of Literary St. Petersburg. *Her writing has appeared in* The New York Review of Books, n+1 *and other publications.*

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Much of their action occurs in Dempsy's housing projects, occupied almost entirely by poor black residents who, whether they sell drugs, like the hero of *Clockers*, or have legal jobs, like most of the characters in *Freedomland* and *Samaritan*, seem isolated from the world outside their immediate neighborhood. Though *Samaritan* is set after September 11, the world of these three novels is the inner city as it came to be defined in the 1980s and early '90s: urban ruins in the making, which their residents would presumably abandon if they could afford to live someplace less dilapidated and violent. This kind of inner-city neighborhood continues to exist, of course, in, among other places, the HBO series *The Wire*, which is set in Baltimore and for which Price was a screenwriter. But a neighborhood like the Lower East Side, with its eastward waves of gentrification lapping nearly to the housing projects along the East River, complicates the old idea of inner-city desolation and isolation. There are still many low-income high-rises on the Lower East Side ("immortal," Price calls them), but they're in breathtaking proximity to upwardly mobile newcomers from uptown and all over the world.

While Price takes in the panoply of the neighborhood, the residents who most interest him are the hipster newcomers and the kids in the projects. Just how much does proximity to new money improve the daily lives or future prospects of the residents of the projects? This is an important question in *Lush Life*, one that Price raises with some skepticism. At least one thing has changed in the projects over the past decade, however: as in other parts of the neighborhood, better law enforcement and new money have led to new business opportunities. Among the many characters introduced in the opening chapters are Tristan Acevedo and his friend Little Dap Williams, two young teenagers, Puerto Rican and black, respectively, from the Lemlich Houses. Little Dap explains to Tristan, ignorant of much of the neighborhood lore because he's usually baby-sitting his three younger step-siblings, that ten or twelve years earlier the Lower East Side drug trade had been run by a few powerful kingpins. "Half a them got snatched up by RICO for long bids, the other half is dead, all the hard cores, so now it's like just the Old Heads out there sippin' forties and telling stories about yesteryear, them and a bunch of Similac niggers, stoop boys, everybody out for themselves with their itty-bitty eight balls, nobody runnin' the show."

Little Dap is keen to pursue the entrepreneurial possibilities that this free-for-all presents. He and Tristan make a plan to buy cocaine from a dealer in Washington Heights and resell it in Tompkins Square Park "to the

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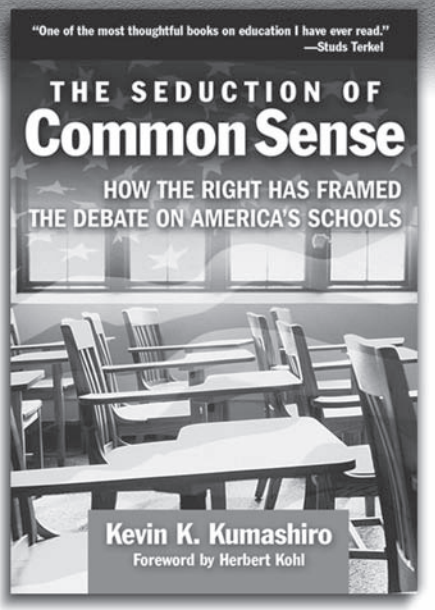
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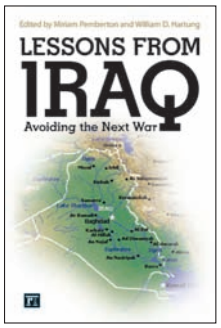

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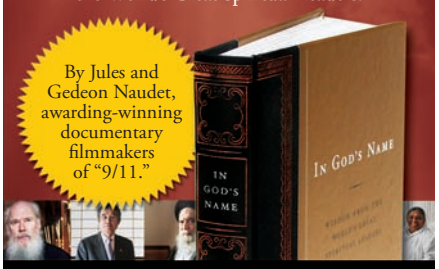

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white boys coming out the bars." First, however, they need money for the coke, and the obvious source—the only one they seem to consider seriously—is a mugging. Muggings are routine on the Lower East Side despite Quality of Life efforts, frequent enough that Chinese immigrants have been warned by their community leaders to stop carrying the week's earnings on them in cash. But Little Dap, who has already committed several successful holdups, prefers to go after the increasingly numerous white kids. He and Tristan find their quarry on Eldridge Street somewhere below Delancey, the crossroads of old and new Lower East Side.

The neighborhood's history as the home of millions of poor turn-of-the-century immigrants adds a layer of irony to its sudden chic, an irony not lost on Eric Cash, a restaurant manager in his mid-30s who has been living for nearly a decade in the area that his Jewish forebears hurried to abandon for something more bucolic. Over the course of his eight years on the Lower East Side, Eric has tried acting and writing, but he's now facing the appalling fact that his day job managing the trendy local restaurant Café Berkmann has become, simply, his job. One night a new bartender at Café Berkmann, Ike Marcus, cajoles Eric into going barhopping with another friend of his. Ike is in his mid-20s, blithely self-absorbed and impossibly confident—about his future as a poet and about life in general. He already seems to have made friends with half the neighborhood (the half with MFAs). Eric is disgusted and transfixed by this youthful exuberance. His voice is reminiscent of Kenny Becker, the narrator of the hilarious *Ladies Man* (1978), one of the four more intimate, autobiographical novels Price wrote, before his Dempsy books, about young men, Jewish or Italian, who grew up in the Bronx projects of the 1960s and '70s. Eric and Kenny are from modest backgrounds in which artists and writers and highly paid professionals played no part; both flounder, amusingly, in hapless careers and romantic lives, and both are eager to please, self-deprecating and slightly ill at ease no matter what urban milieu they're in.

At the end of the night of barhopping, Eric, Ike and Ike's friend Steve get mugged by Tristan and Little Dap. While Eric is cooperative with them and Steve too drunk to resist, Ike says, "Not tonight, my man," and steps toward Tristan. The startled Tristan shoots him in the chest. "Suicide by mouth" is how one incredulous cop later describes Ike's retort, but it's pretty clear that Ike's impulse was not self-destructive but rather overconfident and a little self-absorbed—he failed, or didn't even try, to size up Tristan accurately. Perhaps Ike is also representative of his generation of New Yorkers. Unlike Eric, who makes a point of not looking at the muggers' faces, Ike is clearly unschooled in mugging etiquette. He would have been an adolescent in the late '90s, when crime was already down in much of the city. It's just possible that he didn't grow up with terrifying stories and dire warnings about muggings, as he certainly would have a generation earlier even in the affluent neighborhood of Riverdale, where he was raised. Faced with an actual mugging, Ike is like a turtle hatchling on Galapagos, unprepared by his environment to feel the protective degree of fear.

We learn the details of this murder fairly early in the novel, long before the police do. The rest of the book alternately follows Eric and Tristan, who go their separate ways to make sense of the night's events, and Matty Clark, the homicide detective in charge of the case. Matty is a pleasantly sensible and wry white man in his mid-40s. He is obsessed with his work, as literary detectives must be, and neglectful of his family, as they often are. In the course of the investigation Matty ends up spending a great deal of time, mostly involuntarily, with Ike's father, Billy, who drifts around the Lower East Side after the murder, sometimes trying ineffectually to help the police, disoriented and slightly clownish in his grief. His distress pricks Matty's conscience about his two neglected sons. Billy is a strange creation. Price devotes many pages to him and allows him to interrupt gripping detective scenes, pulling Matty away from his work and into a conversation in which it becomes clear that Billy—limited to halting recollections of Ike and platitudes from the recovery literature he has been reading—has nothing revelatory to say. "See the tragedy as a part of the human condition," Billy tells himself, to Matty, in a typical exchange, "you know, like how every event has a purpose, or, or, something worse has been averted according to God's plan. OK? And, by the way, nothing says you can't keep the bond with the loved one." Billy doesn't speak as much as Price's other characters, but he appears unexpectedly all over the place, and it seems that we, like Matty, are simply meant to be in the presence of his inarticulate grief.

Though the main voices of the novel are those of Eric, Tristan and Matty, Price sometimes breaks entirely from their point of view and allows us to overhear the thoughts of a handful of other characters. The result is a somewhat sprawling and unfocused narrative, not as tight as Price's previous books but perhaps better suited to the cacophony of its downtown setting. The Dempsy novels are strictly limited to two alternating points of view: a midlevel drug dealer and a cop who's trying to arrest him in *Clockers*; a journalist

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and a cop, both originally from the projects, in *Freedomland*. In these earlier books one of the main characters is white, the other black; the dual narrative suggests a world in which there are only two kinds of racial identity. Points of contact between the groups are rare and explosive—when whites come into the projects, whatever their intentions, they usually end up bringing trouble.

On the pan-racial Lower East Side of *Lush Life*, the interactions among different ethnic groups are many—and none, on the surface, seem to be potentially explosive. As Tristan marvels to himself looking out at a local crowd, the "sand niggers, flat-face Chinese, *blancos*, other kids" all throng the same sidewalks. Price emphasizes this multiethnic intimacy by arranging serendipitous encounters and connections among the various characters affected by Ike's death. The funniest of these is Matty's discovery that he, Ike and one of the suspects in the murder have all slept with the same barmaid. Neither Matty nor the suspect knows her name, but he recognizes her from the suspect's description: she has a tattoo of the Seven Dwarves that runs along her inner thigh. In another episode, Ike's little sister comes down from Riverdale to the converted immigrant dance hall where Ike's memorial service is held and unknowingly walks by Tristan, who happens to be hanging out on the same block. Tristan notices her even though "normally he just looked right through white kids, probably pretty much like they just looked right through him."

As the chance encounters add up, it becomes painfully clear how superficial they are. As Tristan suggests, people seem to look through one another. Until, of course, someone gets in their way. What *Lush Life* lays bare about the new Lower East Side is not hidden depths of vice or depravity but the lack of neighborliness among the different tribes that live and work there. The seemingly intimate bustle on the streets is a by-product of lots of people all trying to make money in the same place. Some of them work at cross-purposes, some symbiotically, but all of them, in this novel, are ultimately focused on themselves. The character who best thrives in the neighborhood is Eric's boss, Harry Steele, who owns Café Berkmann and other restaurants and properties around the city. He pays top dollar for historic photographs of ragged slum dwellers to hang in his upscale Rivington Street cafe; cozies up to the police so that they don't enforce local noise ordinances; and lives in a converted synagogue on Suffolk Street, where the ark that once held the Torah is now filled with "Steele's collection of eighteenth- and nineteenth-century cookbooks."

Social realism and crime fiction tend to expose police forces as corrupt or ineffectual; Price's fiction has shown not only the limitations or corruption of individual cops but the systemic compromises that the police have made with people involved in the drug trade. In *Lush Life*, the stakes are different: how do you write a social-realist crime novel about a neighborhood in which the police are uncompromising, effective and pretty decent all around?

As an answer, Price creates a resolution in which law enforcement works the way it's supposed to and yet we're left profoundly unsettled. The police department, of course, still has its bureaucracies and petty tyrants, and even these days murder cases hardly solve themselves. After getting misleading witness testimony and wasting time pursuing a false lead, the cops are stuck interviewing residents of tenement buildings near the murder scene, half of whom speak only Fujianese and the other half of whom claim not to have heard or seen a thing. When Ike's father offers a large reward for information, the police station is flooded with hundreds of tips,

> 90 percent the usual crackpots, chronic dime-droppers, and his favorite, the grudge settlers, who offered up cheating boyfriends, ex-boyfriends, alimony skippers, do-nothing landlords, and deadbeat tenants; who offered up perps of the wrong race, wrong class, wrong age, and wrong neighborhood; shooters who lived on Sutton Place, on Central Park West, in Chappaqua, in Texas, in Alaska for now, but that's just where he's stationed; and as always, the Lords of Transportation calling in by the dozens: the guy was just at my token booth, on my train, on my bus, in my cab, in my dollar van, in my dreams; all of these invariably dropped into the Not Entertained pile; but how could you call it Not Entertained when it included an old lady in Brooklyn Heights giving up her son who lived in Hawaii but could have flown in for this, he does it all the time.

The police do eventually find out that Tristan was the killer, but not through Matty's detective work. Quality of Life officers catch Little Dap with a small amount of marijuana and bring him in for questioning. They threaten him with some bogus charges, and he gives them Tristan's name with barely a fight. This is exactly how the Quality of Life Task Force is supposed to work in the real world, but as the culmination of a novel it is deliberately, slyly anticlimactic. Price doesn't give us the satisfaction of a case doggedly pursued to completion; he leaves us instead

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with a disquieting awareness of the randomness and luck involved in police work.

The unconventional ending also seems faithful to the perspective of the victims, Ike's family and Eric, whose personal narratives of the event would presumably have a different shape from that demanded by a standard police procedural: for them the suspense was over when Ike was pronounced dead, and it hardly matters which police unit catches the murderer or how. In fact, they express only intermittent interest in the identity of the murderer. Even if they knew who the killer was, what would they make of Tristan as the perpetrator of this great horror in their lives, a shy, miserable teenager who participated in the mugging because he wanted his friend to like him? Price doesn't go into much detail about Tristan's past, but we know that the only person who cared about him, his grandmother, died when he was young and that he has been passed around among indifferent or abusive guardians ever since. He now lives with a violent ex-stepfather, tries diffidently to make friends with kids in his building and is another of the neighborhood's aspiring poets, carrying around a notebook filled with swaggering, violent verse. Absorbed in his own pain, Tristan is even more self-centered than Ike. After the murder, he never thinks about the life that he has brought to an end.

In this way, at least, *Lush Life* is more pessimistic than Price's earlier books, in which the violent crime at the center of the novel is an urgent moral issue for the perpetrators. The plot of *Clockers* is set in motion when a low-level drug dealer balks at carrying out an order from his boss: to kill another dealer. The man who actually does commit the murder is suicidal with remorse; his mother has to talk him down from shooting himself as he holds a gun to his chest. Brenda Martin, a white woman in *Freedomland* who falsely tells the police that a black man from the projects kidnapped her son, is tormented by her secret knowledge of the role that she played in her son's death. In *Lush Life*, on the other hand, Price makes a point of just how little a murder can matter to the perpetrator, how little thought and effort it takes to kill someone (even Ike's entry wound was "inconsequential, a third nipple slightly off-center between the other two"). The vast difference between Tristan's reaction to the murder and that of Ike's family and Eric echoes all the other contrasts that we've seen in the neighborhood. Tristan savors his secret knowledge of the murder. It steels him against the abuse and social ostracism he faces in the projects; he even begins to stand up to his abusive stepfather by hitting him back. From Tristan's point of view, at least before he gets arrested, Ike's murder is the best thing that has happened to him in a long time. ■

Letters

(continued from page 2)

April 14]: many years ago my friends and I were threatened by followers of the peace-loving, nonviolent J. Krishnamurti for posting some satirical fliers. They announced a free public debate between I. Mistimurki, author of *Think for Yourself—My Way* and *Lint-Free Omphaloskepsis: A Guidebook for the Navel Observatory*, versus Benny "Cosmic" Rays, founder of The World Institute of Half-assed-ology* in Ojai, California. The Krishnamurti Foundation had made the mistake of scheduling Krishnamurti's talks in Ojai to begin April 1, 1978—April Fool's Day—an opportunity too good for any self-respecting nontheist satirist to pass up.

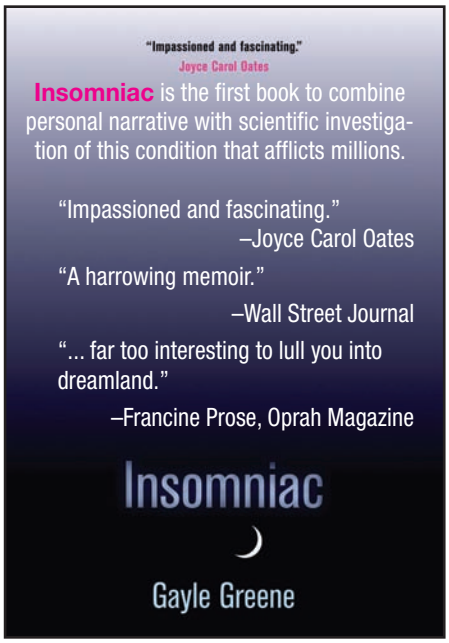
According to his wine steward, the owner of a local cafe, an avid Krishnamurti supporter, and a few of his cronies tried to inveigle two busboys to "find out who wrote this and beat the crap out of them." Richard Dawkins is right: *all* religion is potentially dangerous.

I.M. (Ike) Ahnauklasst

**A play on "Avasthology"—whatever that is. The World Institute of Avasthology changed its name to World University in Ojai within a week of our posting of the fliers.*

Mind Your Aitches and Tees

In Eric Alterman's most recent "Liberal Media" column, a fact-checker misread her capital H as a double lowercase t, causing the misspelling of *Politico*'s Jim VandeHei's name. She has been sent to remedial penmanship class.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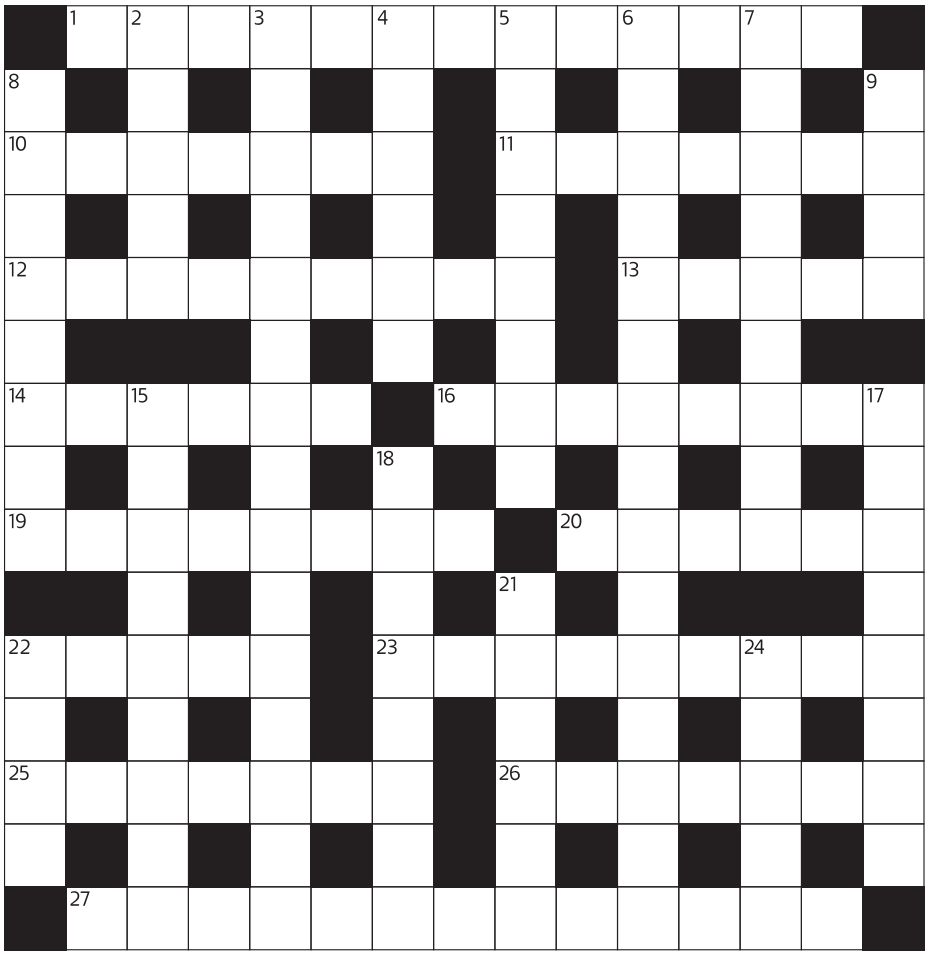
Puzzle No. 3128

FRANK W. LEWIS



ACROSS

1 Rex might be found here, but suffering from lack of favor. (2,3,8)

10 Not a grand type, but rather moral. (7)

11 Right, my dear? Wrong—but Muscovites in uniform might swell it. (3,4)

12 A cellar might be what puts you in the lowest category. (9)

13 Quiet, radical—strip! (5)

14 One of the damn people onstage, with any confusion leading to a cry of alarm coming back. (6)

16 What one described by 1 across is asked to shake—worse in the inside, possibly, but capable of giving the best cuts. (5,3)

19 A high point out back to you and me, being all wound up in the worst way. (8)

20 Dashes frantically from old ghosts. (6)

22 Stressed? No! But starts like Schwartz does. (5)

23 Said incorrectly, and loses color around it, being a line of cliffs. (9)

25 Saw in the newspapers there's a way to pass on the contents of it, being so prepared. (7)

26 A couple might run off to get it, as the film might be. (7)

27 Office types having the wrong notes on a chart, with some signs of hesitation. (13)

DOWN

2 Opera that is a bit short of being ordinary? (5)

3 It might represent a peak of learning, to employ audibly a point concerning Shylock's money with one on. (6,9)

4 The line possibly signed on by little Dorothy and little Theodore. (6)

5 With a shaggy rat, I only notice there's a lot of turning with it. (8)

6 A common comparison with aging implied. (3,2,10)

7 Taken aback, and getting us up right before it ends up given leverage. (9)

8 A group of quatrains, first class in a precious stone at the end. (8)

9 One hears it is passed on, having been given a new color. (4)

15 The direction of neither's companion on the middle sat a bit awkwardly. (9)

17 Half of what goes all around the town in song. (A sort of stew on a dish type in addition—there's a story here!) (4,4)

18 Small canine, with not too much bite. (5,3)

21 Question, in the way of the surrounding state. (6)

22 Proving a bad ruse could be positive. (4)

24 Possibly cored as a sort of ornamentation. (5)

In response to the suggestions of many of our avid puzzlers, we hope soon to run Frank W. Lewis "Crossword Classics" at www.thenation.com. Thanks for sending in your ideas!

SOLUTION TO PUZZLE NO. 3127

A	R	M	A	G	E	D	D	O	N		E	D	E	N
N		E		O		R		B		C		R		U
T	R	A	I	N	E	E		V	I	O	L	E	N	T
H		N		E		S		E		N		A		C
R	A	T	S		A	S	T	R	O	N	O	M	E	R
O		T		U		E		T		O		E		A
P	R	O	P	P	E	D		S	A	T	I	R	I	C
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L	I	N	I	N	G	S		A	M	N	I	O	T	E
O		A		A		I		C		G		P		R
G	L	I	S	T	E	N	E	R	S		B	E	T	S
I		V		I		E		O		O		R		U
S	T	E	A	M	E	D		B	E	N	G	A	L	I
T		T		E		I		A		C		T		T
S	T	E	P		W	E	A	T	H	E	R	E	Y	E

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CONTROL THE COURTS, CONTROL THE FUTURE

By Michael Kieschnick
Co-founder, CREDO Mobile

George Bush knows that. So throughout his two terms, he has aggressively packed the judiciary – including the Supreme Court – with young jurists whose loyalty to the Constitution takes a back seat to their ideological fervor. How right wing are they? In decision after decision, Bush appointees have ruled to protect the presidency from democratic oversight, deny free speech rights to students, and favor corporate interests over the rights of workers, HMO members, and other Americans seeking justice.

Lifetime appointments will allow George Bush to influence our rights and liberties long after his eight years of infamy have come to a close. Yet resistance to his nominees to the highest court has been notably muted. Bush's nominee for chief justice, John Roberts, was approved with minimal objection, despite his record against clean air rules, the Voting Rights Act and Roe v. Wade (to name just a few). What's more, Roberts is likely to remain chief justice long after the average reader of *The Nation*, including me, has gone on to another life.

The nomination of Samuel Alito – another Bush selection with a history of support for conservative causes – engendered stronger opposition from civil rights and women's organizations. But environmental groups were noticeably absent from the fight. And even though he was widely seen as the potential tie-breaking vote to overturn Roe v. Wade, many pro-choice senators refused to join the filibuster to block his appointment. And Alito joined the court.

We all know what happened next: a stream of Supreme Court decisions to thwart reproductive rights, block legitimate claims of gender discrimination, and deny *habeas corpus* and other basic rights to detainees at Guantanamo. Soon, these same justices are likely to rule on Bush's aggressive claims of executive privilege, and the outcome may be very different than during the Nixon administration. As Roberts and Alito vote against the public interest in decades to come, we will be constantly reminded of the high price we are paying for the passivity of our opposition.

With an eye toward his legacy, George Bush continues to try to ram through even more conservative nominees, including such illustrious jurists as:

Steve Matthews, nominated to the Fourth Circuit in Richmond, Virginia, has zero experience as a judge, but lots of experience writing checks to Republican politicians.

Gus Puryear, nominated to the U.S. District Court in Tennessee, has spent his career working for the Corrections Corporation of America (CCA) – America's largest private prison operator. He personally supervised a case in which important evidence of women being sexually assaulted in prisoner vans suspiciously "went missing" from CCA files.

Peter Keisler, a well-connected, highly partisan conservative, who clerked for both Robert Bork and Anthony Kennedy, has been nominated to the Court of Appeals in D.C. – widely viewed as second only to the Supreme Court in judicial influence. Keisler is so controversial that the Senate has already declined to act on his nomination, twice!

Here at CREDO, we believe that seven years of sliding to the right has caused more than enough damage to our judicial system. And rather than waiting for history to repeat, we're mobilizing our customers, nonprofit allies, liberals, progressives and everyone else who cares about justice to finally put an end to Bush's court-packing campaign. So log on to credoaction.com and join us in urging Judiciary Committee Chairman Patrick Leahy to keep Bush's new round of right-wing nominees off the bench.

Paraphrasing a recent attorney general, history will not look kindly on those who stand by as the judiciary is packed.

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